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# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

NATIONAL LABOUR LEGISLATION.

NORWAY : Act respecting Sickness Insurance.

WAR EMERGENCY LEGISLATION.



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# Bulletin

OF THE

## INTERNATIONAL LABOUR OFFICE

[NOTE.—The German, French, and English editions of the *Bulletin* are referred to as G.B., F.B., and E.B., respectively.]

### National Labour Legislation

#### 1. LAWS AND ORDERS

##### I. United States of America

###### (4) UNION.

1. **Act No. 271. Efficiency tests and bonuses in the Naval Service.** March 3rd, 1915. ("Bulletin of the U.S. Bureau of Labour Statistics"; whole No. 186, p. 439.)

No part of the appropriations made in this Act (for the Naval Service) shall be available for the salary or pay of any officer, manager, superintendent, foreman or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop-watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.\*

2. **Act No. 302. Seamen.** March 4th, 1915. ("Bulletin of the U.S. Bureau of Labour Statistics"; whole No. 186, p. 440.)†

###### [EXTRACT.]

Section 3. Section forty-five hundred and twenty-nine of the Revised Statutes of the United States is hereby amended to read as follows:—

Section 4529. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and in cases of vessels

\* The same provision is contained in Act No. 292 of 4th March, 1915. (Bulletin of the U.S. Bureau of Labour Statistics, p. 440) as regards arsenals, etc.

† Full Title: An Act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or *vice versa*, within twenty-four hours after the cargo has been discharged, or within four days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this Section shall not apply to masters or owners of any vessel, the seamen of which are entitled to share in the profits of the cruise or voyage.

Section 4. Section forty-five hundred and thirty of the Revised Statutes of the United States is hereby amended to read as follows:—

Section 4530. Every seaman on a vessel of the United States shall be entitled to receive on demand from the master of the vessel to which he belongs one-half part of the wages which he shall have then earned at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended, and all stipulations in the contract to the contrary shall be void: Provided such a demand shall not be made before the expiration of, nor oftener than once in five days. Any failure on the part of the master to comply with this demand shall release the seaman from his contract, and he shall be entitled to full payment of wages earned. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him, as provided in Section forty-five hundred and twenty-nine of the Revised Statutes: Provided further, that notwithstanding any release signed by any seaman under Section forty-five hundred and fifty-two of the Revised Statutes, any court having jurisdiction may upon good cause shown set aside such release and take such action as justice shall require: And provided further, that this Section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement.

Section 7. Section forty-five hundred and ninety-six of the Revised Statutes of the United States is hereby amended to read as follows:

Section 4596. Whenever any seaman who has been lawfully engaged or any apprentice to the sea service commits any of the following offences, he shall be punished as follows:

*First.* For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

*Second.* For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within twenty-four hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute.

*Third.* For quitting the vessel without leave, after her arrival at the port of her delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay.



*Fourth.* For wilful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port, by forfeiture from his wages of not more than four days' pay or, at the discretion of the court, by imprisonment for not more than one month.

*Fifth.* For continued wilful disobedience to lawful command or continued wilful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every twenty-four hours' continuance of such disobedience or neglect, of a sum of not more than 12 days' pay or by imprisonment for not more than three months, at the discretion of the court.

*Sixth.* For assaulting any master or mate, by imprisonment for not more than two years.

*Seventh.* For wilfully damaging the vessel, or embezzling or wilfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than twelve months.

*Eighth.* For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than twelve months.

Section 8. Section forty-six hundred of the Revised Statutes of the United States is hereby amended to read as follows :

Section 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused, the consular officer shall inquire into the facts and proceed as provided in Section forty-five hundred and eighty-three of the Revised Statutes ; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner.

Section 9. Section forty-six hundred and eleven of the Revised Statutes of the United States is hereby amended to read as follows :

Section 4611. Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this Section, or either thereof, shall be deemed guilty of a misdemeanour, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this Section, it shall be the duty of such master to surrender such officer to the proper authorities, as soon as practicable provided he has actual knowledge of the misdemeanour or complaint thereof is made



within three days after reaching port. Any failure on the part of such master to use due diligence to comply herewith, which failure shall result in the escape of such officer, shall render the master or vessel or the owner of the vessel liable in damages for such flogging or corporal punishment to the person illegally punished by such officer.

Section 16. In the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the territories and possessions thereof, and for the co-operation, aid and protection of competent legal authorities in effecting such arrest or imprisonment, and any other treaty provision in conflict with the provisions of this Act, ought to be terminated, and to this end the President be and is hereby requested and directed, within ninety days after the passage of this Act, to give notice to the several Governments respectively that so much as hereinbefore described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions.

Section 17. Upon the expiration after notice of the periods required, respectively, by said treaties and conventions and of one year in the case of the Independent State of the Kongo, so much as hereinbefore described in each and every one of the said articles shall be deemed and held to have expired and to be of no force and effect, and thereupon Section fifty-two hundred and eighty and so much of Section four thousand and eighty-one of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and Possessions thereof, and for the co-operation, aid and protection of competent legal authorities in effecting such arrest or imprisonment, shall be and is hereby repealed.

**3. An Act to prevent interstate commerce in the products of child labour, and for other purposes.** Approved 1st September, 1916. Public No. 249—64th Congress ; H.R. 2834. (Monthly Review of the U.S. Bureau of Labour Statistics III., No. 4, p. 31.)

1. No producer, manufacturer, or dealer shall ship or deliver for shipment in interstate or foreign commerce any article or commodity the product of any mine or quarry, situated in the United States, in which within thirty days prior to the time of the removal of such product therefrom children under the age of sixteen years have been employed or permitted to work, or any article or commodity the product of any mill, cannery, workshop, factory or manufacturing establishment, situated in the United States, in which within thirty days prior to the removal of such product therefrom children under the age of fourteen years have been employed or permitted to work, or children between the ages of fourteen years and sixteen years have been employed or permitted to work more than eight hours in any day, or more than six days in any week, or after the hour of seven o'clock post-meridian, or before the hour of six o'clock ante-meridian : *Provided*, That a prosecution and conviction of a defendant for the shipment or delivery for shipment of any article or commodity under the conditions herein prohibited shall be a bar to any further prosecution against the same defendant for shipments or deliveries for shipment of any such article or commodity before the beginning of said prosecution.



2. The Attorney-General, the Secretary of Commerce, and the Secretary of Labour shall constitute a board to make and publish from time to time uniform rules and regulations for carrying out the provisions of this Act.

3. For the purpose of securing proper enforcement of this Act the Secretary of Labour, or any person duly authorised by him, shall have authority to enter and inspect at any time mines, quarries, mills, canneries, workshops, factories, manufacturing establishments, and other places in which goods are produced or held for interstate commerce; and the Secretary of Labour shall have authority to employ such assistance for the purposes of this Act as may from time to time be authorised by appropriation or other law.

4. It shall be the duty of each district attorney to whom the Secretary of Labour shall report any violation of this Act, or to whom any State factory or mining or quarry inspector, commissioner of labour, State medical inspector or school-attendance officer, or any other person shall present satisfactory evidence of any such violation to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay for the enforcement of the penalties in such cases herein provided: *Provided*, That nothing in this Act shall be construed to apply to *bonâ fide* boys' and girls' canning clubs recognised by the Agricultural Department of the several States and of the United States.

5. Any person who violates any of the provisions of §1 of this Act, or who refuses or obstructs entry or inspection authorised by §3 of this Act, shall for each offence prior to the first conviction of such person under the provisions of this Act, be punished by a fine of not more than \$200, and shall for each offence subsequent to such conviction be punished by a fine of not more than \$1,000, nor less than \$100, or by imprisonment for not more than three months, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That no dealer shall be prosecuted under the provisions of this Act for a shipment, delivery for shipment, or transportation who establishes a guaranty issued by the person by whom the goods shipped or delivered for shipment or transportation were manufactured or produced, resident in the United States, to the effect that such goods were produced or manufactured in a mine or quarry in which within thirty days prior to their removal therefrom no children under the age of sixteen years were employed or permitted to work, or in a mill, cannery, workshop, factory or manufacturing establishment, in which within thirty days prior to the removal of such goods therefrom no children under the age of fourteen years were employed or permitted to work, nor children between the ages of fourteen years and sixteen years employed or permitted to work more than eight hours in any day or more than six days in any week or after the hour of seven o'clock post-meridian or before the hour of six o'clock ante-meridian; and in such event, if the guaranty contains any false statement of a material fact, the guarantor shall be amenable to prosecution and to the fine or imprisonment provided by this Section for violation of the provisions of this Act. Said guaranty, to afford the protection above provided, shall contain the name and address of the person giving the same: *And provided further*, That no producer, manufacturer or dealer shall be prosecuted under this Act for the shipment, delivery for shipment, or transportation of a product of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment, if the only employment therein, within thirty days prior to the removal of such product therefrom, of a child under the age of sixteen years has been that of a child as to whom the producer or manufacturer has in good faith procured, at the time of employing such child, and has since in good faith relied upon and kept on file a certificate, issued in



such form, under such conditions, and by such persons as may be prescribed by the board, showing the child to be of such an age that the shipment, delivery for shipment, or transportation was not prohibited by this Act. Any person who knowingly makes a false statement or presents false evidence in or in relation to any such certificate or application therefor shall be amenable to prosecution and to the fine or imprisonment provided by this Section for violations of this Act. In any State designated by the board an employment certificate or other similar paper as to the age of the child, issued under the laws of that State and not inconsistent with the provisions of this Act, shall have the same force and effect as a certificate herein provided for.

6. The word "person," as used in this Act, shall be construed to include any individual or corporation or the members of any partnership or other unincorporated association. The term "ship or deliver for shipment in interstate of foreign commerce" as used in this Act means to transport or to ship or deliver for shipment from any State or Territory or the District of Columbia to or through any other State or Territory or the District of Columbia or to any foreign country; and in the case of a dealer means only to transport or to ship or deliver for shipment from the State, Territory or district of manufacture or production.

7. This Act shall take effect from and after one year from the date of its passage.

**4. An Act to establish an eight-hour day for employees of carriers engaged in interstate and foreign commerce, and for other purposes.** Approved 3rd and 5th September, 1916. Public No. 252—64th Congress; H.R. 17700. (Monthly Review of the U.S. Bureau of Labour Statistics III., No. 4, p. 23.)

1. Beginning January first, nineteen hundred and seventeen, eight hours shall, in contracts for labour and service, be deemed a day's work and the measure or standard of a day's work for the purpose of reckoning the compensation for services of all employees who are now or may hereafter be employed by any common carrier by railroad, except railroads independently owned and operated not exceeding one hundred miles in length, electric street railroads and electric inter-urban railroads, which is subject to the provisions of the Act of February fourth, eighteen hundred and eighty-seven, entitled "An Act to regulate commerce," as amended, and who are now or may hereafter be actually engaged in any capacity in the operation of trains used for the transportation of persons or property on railroads, except railroads independently owned and operated not exceeding one hundred miles in length, electric street railroads and electric inter-urban railroads, from any State or Territory of the United States or the District of Columbia, to any other State or Territory of the United States or the District of Columbia, or from one place in a Territory to another place in the same Territory, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States: *Provided*, That the above exceptions shall not apply to railroads though less than one hundred miles in length whose principal business is leasing or furnishing terminal or transfer facilities to other railroads, or are themselves engaged in transfers of freight between railroads or between railroads and industrial plants.

2. The President shall appoint a Commission of three, which shall observe the operation and effects of the institution of the eight-hour standard work-day as above defined and the facts and conditions affecting the relations between



such common carriers and employees during a period of not less than six months nor more than nine months, in the discretion of the Commission, and within thirty days thereafter such Commission shall report its findings to the President and Congress that each member of the Commission created under the provisions of this Act shall receive such compensation as may be fixed by the President. That the sum of \$25,000, or so much thereof as may be necessary, be, and hereby is, appropriated, out of any money in the United States Treasury not otherwise appropriated, for the necessary and proper expenses incurred in connection with the work of such Commission, including salaries, per diem, travelling expenses of members and employees, and rent, furniture, office fixtures and supplies, books, salaries, and other necessary expenses, the same to be approved by the Chairman of said Commission and audited by the proper accounting officers of the Treasury.

3. Pending the report of the Commission herein provided for and for a period of thirty days thereafter the compensation of railway employees subject to this Act for a standard eight-hour work-day shall not be reduced below the present standard day's wage, and for all necessary time in excess of eight hours such employees shall be paid at a rate not less than the pro rata rate for such standard of eight-hour work-day.

4. Any person violating any provision of this Act shall be guilty of a misdemeanour and upon conviction shall be fined not less than \$100 and not more than \$1,000, or imprisoned not to exceed one year, or both.

**5. An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes.** Approved 7th September, 1916. Public—No. 267—64th Congress; H.R. 15316. (Monthly Review of the U.S. Bureau of Labour Statistics III., No. 4, p. 34.)

1. The United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by the wilful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

2. During the first three days of disability the employee shall not be entitled to compensation, except as provided in §9. No compensation shall at any time be paid for such period.

3. If the disability is total the United States shall pay to the disabled employee during such disability a monthly compensation equal to 66⅔ per centum of his monthly pay, except as hereinafter provided.

4. If the disability is partial the United States shall pay to the disabled employee during such disability a monthly compensation equal to 66⅔ per centum of the difference between his monthly pay and his monthly wage-earning capacity after the beginning of such partial disability. The commission may, from time to time, require a partially disabled employee to make an affidavit as to the wages which he is then receiving. In such affidavit the employee shall include a statement of the value of housing, board, lodging and other advantages which are received from the employer as a part of his remuneration and which can be estimated in money. If the employee, when required, fails to make such affidavit he shall not be entitled to any compensation while such failure continues, and the period of such failure shall be deducted from the period during which compensation is payable to him.



5. If a partially disabled employee refuses to seek suitable work or refuses or neglects to work after suitable work is offered to, procured by or secured for him, he shall not be entitled to any compensation.

6. The monthly compensation for total disability shall not be more than \$66.67 nor less than \$33.33, unless the employee's monthly pay is less than \$33.33, in which case his monthly compensation shall be the full amount of his monthly pay. The monthly compensation for partial disability shall not be more than \$66.67. In the case of persons who at the time of the injury were minors or employed in a learner's capacity and who were not physically or mentally defective, the commission shall, on any review after the time when the monthly wage-earning capacity of such persons would probably, but for the injury, have increased, award compensation based on such probable monthly wage-earning capacity. The commission may, on any review after the time when the monthly wage-earning capacity of the disabled employee would probably, irrespective of the injury, have decreased on account of old age, award compensation based on such probable monthly wage-earning capacity.

7. As long as the employee is in receipt of compensation under this Act, or, if he has been paid a lump sum in commutation of instalment payments, until the expiration of the period during which such instalment payments would have continued, he shall not receive from the United States any salary, pay or remuneration whatsoever, except in return for services actually performed, and except pensions for service in the Army or Navy of the United States.

8. If at the time the disability begins the employee has annual or sick leave to his credit he may, subject to the approval of the head of the department, use such leave until it is exhausted, in which case his compensation shall begin on the fourth day of disability after the annual or sick leave has ceased.

9. Immediately after an injury sustained by an employee while in the performance of his duty, whether or not disability has arisen, and for a reasonable time thereafter, the United States shall furnish to such employee reasonable medical, surgical, and hospital services and supplies unless he refuses to accept them. Such services and supplies shall be furnished by United States medical officers and hospitals, but where this is not practicable shall be furnished by private physicians and hospitals designated or approved by the commission and paid for from the employees' compensation fund. If necessary for the securing of proper medical, surgical and hospital treatment, the employee, in the discretion of the commission, may be furnished transportation at the expense of the employees' compensation fund.

10. If death results from the injury within six years, the United States shall pay to the following persons for the following period a monthly compensation equal to the following percentages of the deceased employee's monthly pay, subject to the modification that no compensation shall be paid where the death takes place more than one year after the cessation of disability resulting from such injury, or, if there has been no disability preceding death, more than one year after the injury:

(a) To the widow, if there is no child, 35 per centum. This compensation shall be paid until her death or marriage.

(b) To the widower, if there is no child, 35 per centum, if wholly dependent for support upon the deceased employee at the time of her death. This compensation shall be paid until his death or marriage.

(c) To the widow or widower, if there is a child, the compensation payable under clause (a) or clause (b), and in addition thereto 10 per centum



for each child, not to exceed a total of  $66\frac{2}{3}$  per centum for such widow or widower and children. If a child has a guardian other than the surviving widow or widower, the compensation payable on account of such child shall be paid to such guardian. The compensation payable on account of any child shall cease when he dies, marries or reaches the age of eighteen, or, if over eighteen and incapable of self-support, becomes capable of self-support.

(d) To the children, if there is no widow or widower, 25 per centum for one child and 10 per centum for each additional child, not to exceed a total of  $66\frac{2}{3}$  per centum, divided among such children share and share alike. The compensation of each child shall be paid until he dies, marries or reaches the age of eighteen, or, if over eighteen and incapable of self-support, becomes capable of self-support. The compensation of a child under legal age shall be paid to its guardian.

(e) To the parents, if one is wholly dependent for support upon the deceased employee at the time of his death and the other is not dependent to any extent, 25 per centum; if both are wholly dependent, 20 per centum to each; if one is or both are partly dependent, a proportionate amount in the discretion of the commission.

The above percentages shall be paid if there is no widow, widower or child. If there is a widow, widower or child, there shall be paid so much of the above percentages as, when added to the total percentages payable to the widow, widower and children, will not exceed a total of  $66\frac{2}{3}$  per centum.

(f) To the brothers, sisters, grand-parents and grand-children, if one is wholly dependent upon the deceased employee for support at the time of his death, 20 per centum to such dependent; if more than one are wholly dependent, 30 per centum, divided among such dependants share and share alike; if there is no one of them wholly dependent, but one or more partly dependent, 10 per centum divided among such dependants share and share alike.

The above percentages shall be paid if there is no widow, widower, child or dependent parent. If there is a widow, widower, child, or dependent parent, there shall be paid so much of the above percentages as, when added to the total percentage payable to the widow, widower, children and dependent parents, will not exceed a total of  $66\frac{2}{3}$  per centum.

(g) The compensation of each beneficiary under clauses (e) and (f) shall be paid for a period of eight years from the time of the death, unless before that time he, if a parent or grand-parent, dies, marries or ceases to be dependent, or, if a brother, sister or grand-child, dies, marries or reaches the age of eighteen, or, if over eighteen and incapable of self-support, becomes capable of self-support. The compensation of a brother, sister or grand-child under legal age shall be paid to his or her guardian.

(h) As used in this Section, the term "child" includes step-children, adopted children, and posthumous children, but does not include married children. The terms "brother" and "sister" include step-brothers and step-sisters, half-brothers and half-sisters, and brothers and sisters by adoption, but do not include married brothers or married sisters. All of the above terms and the term "grand-child" include only persons who at the time of the death of the deceased employee are under eighteen years of age or over that age and incapable of self-support. The term "parent" includes step-parents and parents by adoption. The term "widow" includes only the decedent's wife living with or dependent for support upon him at the time of his death. The term "widower" includes only the decedent's

husband dependent for support upon her at the time of her death. The terms "adopted" and "adoption" as used in this clause include only legal adoption prior to the time of the injury.

(i) Upon the cessation of compensation under this Section to or on account of any person, the compensation of the remaining persons entitled to compensation for the unexpired part of the period during which their compensation is payable shall be that which such persons would have received if they had been the only persons entitled to compensation at the time of the decedent's death.

(j) In case there are two or more classes of persons entitled to compensation under this Section and the apportionment of such compensation, above provided, would result in injustice, the commission may, in its discretion, modify the apportionment to meet the requirements of the case.

(k) In computing compensation under this Section, the monthly pay shall be considered not to be more than \$100 nor less than \$50, but the total monthly compensation shall not exceed the monthly pay computed as provided in §12.

(l) If any person entitled to compensation under this Section, whose compensation by the terms of this Section ceases upon his marriage, accepts any payments of compensation after his marriage he shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

11. If death results from the injury within six years the United States shall pay to the personal representative of the deceased employee burial expenses not to exceed \$100, in the discretion of the commission. In the case of an employee whose home is within the United States, if his death occurs away from his home, office, or outside of the United States, and if so desired by his relatives, the body shall, in the discretion of the commission, be embalmed and transported in a hermetically sealed casket to the home of the employee. Such burial expenses shall not be paid and such transportation shall not be furnished where the death takes place more than one year after the cessation of disability resulting from such injury, or, if there has been no disability preceding death, more than one year after the injury.

12. In computing the monthly pay the usual practice of the service in which the employee was employed shall be followed. Subsistence and the value of quarters furnished an employee shall be included as part of the pay, but overtime shall not be taken into account.

13. In the determination of the employee's monthly wage-earning capacity after the beginning of partial disability, the value of housing, board, lodging, and other advantages which are received from his employer as a part of his remuneration and which can be estimated in money shall be taken into account.

14. In cases of death or of permanent total or permanent partial disability, if the monthly payment to the beneficiary is less than \$5 a month, or if the beneficiary is or is about to become a non-resident of the United States, or if the commission determines that it is for the best interests of the beneficiary, the liability of the United States for compensation to such beneficiary may be discharged by the payment of a lump sum equal to the present value of all future payments of compensation computed at 4 per centum true discount compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality; but in case of compensation to the widow or widower of the deceased employee, such lump sum shall not exceed sixty months' compensation. The probability



of the happening of any other contingency affecting the amount or duration of the compensation shall be disregarded.

15. Every employee injured in the performance of his duty, or some one on his behalf, shall, within forty-eight hours after the injury, give written notice thereof, to the immediate superior of the employee. Such notice shall be given by delivering it personally or by depositing it properly stamped and addressed in the mail.

16. The notice shall state the name and address of the employee, the year, month, day, and hour when and the particular locality where the injury occurred, and the cause and nature of the injury, and shall be signed by and contain the address of the person giving notice.

17. Unless notice is given within the time specified or unless the immediate superior has actual knowledge of the injury, no compensation shall be allowed, but for any reasonable cause shown, the commission may allow compensation if the notice is filed within one year after the injury.

18. No compensation under this Act shall be allowed to any person, except as provided in §38, unless he or some one on his behalf shall, within the time specified in §20, make a written claim therefor. Such claim shall be made by delivering it at the office of the commission or to any commissioner or to any person whom the commission may by regulation designate, or by depositing it in the mail properly stamped and addressed to the commission or to any person whom the commission may by regulation designate.

19. Every claim shall be made on forms to be furnished by the commission and shall contain all the information required by the commission. Each claim shall be sworn to by the person entitled to compensation or by the person acting on his behalf, and, except in case of death, shall be accompanied by a certificate of the employee's physician stating the nature of the injury and the nature and probable extent of the disability. For any reasonable cause shown the commission may waive the provisions of this Section.

20. All original claims for compensation for disability shall be made within sixty days after the injury. All original claims for compensation for death shall be made within one year after the death. For any reasonable cause shown the commission may allow original claims for compensation for disability to be made at any time within one year.

21. After the injury the employee shall, as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or by a duly qualified physician designated or approved by the commission. The employee may have a duly qualified physician designated and paid by him present to participate in such examination. For all examinations after the first the employee shall, in the discretion of the commission, be paid his reasonable travelling and other expenses, and loss of wages incurred in order to submit to such examination. If the employee refuses to submit himself for or in any way obstructs any examination, his right to claim compensation under this Act shall be suspended until such refusal or obstruction ceases. No compensation shall be payable while such refusal or obstruction continues, and the period of such refusal or obstruction shall be deducted from the period for which compensation is payable to him.

22. In case of any disagreement between the physician making an examination on the part of the United States and the employee's physician the commission shall appoint a third physician, duly qualified, who shall make an examination.

23. Fees for examinations made on the part of the United States under §§21 and 22 by physicians who are not already in the service of the United States shall be fixed by the commission. Such fees, and any sum payable to the employee under §21, shall be paid out of the appropriation for the work of the commission.

24. Immediately after an injury to an employee resulting in his death or in his probable disability, his immediate superior shall make a report to the commission containing such information as the commission may require, and shall thereafter make such supplementary reports as the commission may require.

25. Any assignment of a claim for compensation under this Act shall be void and all compensation and claims therefore shall be exempt from all claims of creditors.

26. If an injury or death for which compensation is payable under this Act is caused under circumstances creating a legal liability upon some person other than the United States to pay damages therefore, the commission may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person or any right which he may have to share in any money or other property received in satisfaction of such liability of such other person, or the commission may require said beneficiary to prosecute said action in his own name.

If the beneficiary shall refuse to make such assignment or to prosecute said action in his own name when required by the commission, he shall not be entitled to any compensation under this Act.

The cause of action when assigned to the United States may be prosecuted or compromised by the commission, and if the commission realises upon such cause of action, it shall apply the money or other property so received in the following manner: After deducting the amount of any compensation already paid to the beneficiary and the expenses of such realization or collection, which sum shall be placed to the credit of the employees' compensation fund, the surplus, if any, shall be paid to the beneficiary and credited upon any future payments of compensation payable to him on account of the same injury.

27. If an injury or death for which compensation is payable under this Act is caused under circumstances creating a legal liability in some person other than the United States to pay damages therefore, and a beneficiary entitled to compensation from the United States for such injury or death receives, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such beneficiary shall, after deducting the costs of suit and a reasonable attorney's fee, apply the money or other property so received in the following manner:

(a) If his compensation has been paid in whole or in part, he shall refund to the United States the amount of compensation which has been paid by the United States and credit any surplus upon future payments of compensation payable to him on account of the same injury. Any amount so refunded to the United States shall be placed to the credit of the employees' compensation fund.

(b) If no compensation has been paid to him by the United States, he shall credit the money or other property so received upon any compensation payable to him by the United States on account of the same injury.

28. A commission is hereby created, to be known as the United States Employees' Compensation Commission, and to be composed of three commissioners appointed by the President, by and with the advice and consent



of the Senate, one of whom shall be designated by the President as chairman. No commissioner shall hold any other office or position under the United States. No more than two of said commissioners shall be members of the same political party. One of said commissioners shall be appointed for a term of two years, one for a term of four years, and one for a term of six years, and at the expiration of each of said terms, the commissioner then appointed shall be appointed for a period of six years. Each commissioner shall receive a salary of \$4,000 a year. The principal office of said commission shall be in Washington, District of Columbia, but the said commission is authorised to perform its work at any place deemed necessary by said commission, subject to the restrictions and limitations of this Act.

28a. Upon the organisation of said commission and notification to the heads of all executive departments that the commission is ready to take up the work devolved upon it by this Act, all commissions and independent bureaus, by or in which payments for compensation are now provided, together with the adjustment and settlement of such claims, shall cease and determine, and such executive departments, commissions, and independent bureaus shall transfer all pending claims to said commission to be administered by it. The said commission may obtain, in all cases, in addition to the reports provided in §24, such information and such reports from employees of the departments as may be agreed upon by the commission and the heads of the respective departments. All clerks and employees now exclusively engaged in carrying on said work in the various executive departments, commissions, and independent bureaus, shall be transferred to, and become employees of, the commission at their present grades and salaries.

29. The commission, or any commissioner by authority of the commission, shall have power to issue subpoenas for and compel the attendance of witnesses within a radius of one hundred miles, to require the production of books, papers, documents, and other evidence, to administer oaths, and to examine witnesses, upon any matter within the jurisdiction of the commission.

30. The commission shall have such assistants, clerks, and other employees as may be from time to time provided by Congress. They shall be appointed from lists of eligibles to be supplied by the Civil Service Commission, and in accordance with the civil-service law.

31. The commission shall submit annually to the Secretary of the Treasury estimates of the appropriations necessary for the work of the commission.

32. The commission is authorised to make necessary rules and regulations for the enforcement of this Act, and shall decide all questions arising under this Act.

33. The commission shall make to Congress at the beginning of each regular session a report of its work for the preceding fiscal year, including a detailed statement of appropriations and expenditures, a detailed statement showing receipts of and expenditures from the employees' compensation fund, and its recommendations for legislation.

34. For the fiscal year ending June thirtieth, nineteen hundred and seventeen, there is hereby authorised to be appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$50,000 for the work of the commission, including salaries of the commissioners and of such assistants, clerks, and other employees as the commission may deem necessary, and for travelling expenses, expenses of medical examinations under §§21 and 22, reasonable travelling and other expenses and loss of wages payable to employees under §21, rent and equipment of offices, purchase of books, stationery, and

other supplies, printing and binding to be done at the Government Printing Office, and other necessary expenses.

35. There is hereby authorised to be appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$500,000, to be set aside as a separate fund in the Treasury, to be known as the employees' compensation fund. To this fund there shall be added such sums as Congress may from time to time appropriate for the purpose. Such fund, including all additions that may be made to it, is hereby authorised to be permanently appropriated for the payment of the compensation provided by this Act, including the medical, surgical, and hospital services and supplies provided by §9, and the transportation and burial expenses provided by §§9 and 11. The commission shall submit annually to the Secretary of the Treasury estimates of the appropriations necessary for the maintenance of the fund.

36. The commission, upon consideration of the claim presented by the beneficiary, and the report furnished by the immediate superior and the completion of such investigation as it may deem necessary, shall determine and make a finding of facts thereon and make an award for or against payment of the compensation provided for in this Act. Compensation when awarded shall be paid from the employees' compensation fund.

37. If the original claim for compensation has been made within the time specified in §20, the commission may, at any time, on its own motion or an application, review the award, and, in accordance with the facts found on such review, may end, diminish, or increase the compensation previously awarded, or, if compensation has been refused or discontinued, award compensation.

38. If any compensation is paid under a mistake of law or of fact, the commission shall immediately cancel any award under which such compensation has been paid and shall recover, as far as practicable, any amount which has been so paid. Any amount so recovered shall be placed to the credit of the employees' compensation fund.

39. Whoever makes, in any affidavit required under §4 or in any claim for compensation, any statement, knowing it to be false, shall be guilty of perjury and shall be punished by a fine of not more than \$2,000, or by imprisonment for not more than one year, or by both such fine and imprisonment.

40. Wherever used in this Act—

The singular includes the plural and the masculine includes the feminine

The term "employee" includes all civil employees of the United States and of the Panama Railroad Company.

The term "commission" shall be taken to refer to the United States Employees' Compensation Commission provided for in §28.

The term "physician" includes surgeons.

The term "monthly pay" shall be taken to refer to the monthly pay at the time of the injury.

41. All Acts or parts of Acts inconsistent with this Act are hereby repealed: *Provided, however*, That for injuries occurring prior to the passage of this Act compensation shall be paid under the law in force at the time of the passage of this Act: *And provided further*, That if an injury or death for which compensation is payable under this Act is caused under circumstances creating a legal liability in the Panama Railroad Company to pay damages therefore under the laws of any State, Territory, or possession of the United States or of the district of Columbia or of any foreign country, no compensation shall be payable until the person entitled to compensation releases to the Panama Railroad Company any right of action which he may have to



enforce such liability of the Panama Railroad Company, or until he assigns to the United States any right which he may have to share in any money or other property received in satisfaction of such liability of the Panama Railroad Company.

42. The President may, from time to time, transfer the administration of this Act so far as employees of the Panama Canal and of the Panama Railroad Company are concerned to the governor of the Panama Canal, and so far as employees of the Alaskan Engineering Commission are concerned to the chairman of that commission, in which cases the words "commission" and "its" wherever they appear in this Act shall, so far as necessary, to give effect to such transfer, be read "governor of the Panama Canal" or "chairman of the Alaskan Engineering Commission," as the case may be, and "his"; and the expenses of medical examinations under §§21 and 22, and the reasonable travelling and other expenses and loss of wages payable to employees under §21, shall be paid out of appropriations for the Panama Canal or for the Alaskan Engineering Commission or out of funds of the Panama Railroad as the case may be, instead of out of the appropriation for the work of the commission.

In the case of compensation to employees of the Panama Canal or of the Panama Railroad Company for temporary disability, either total or partial, the President may authorise the governor of the Panama Canal to waive, at his discretion, the making of the claim required by §18. In the case of alien employees of the Panama Canal or of the Panama Railroad Company, or of any class or classes of them, the President may remove or modify the minimum limit established by §6 on the monthly compensation for disability and the minimum limit established by clause (k) of §10 on the monthly pay on which death compensation is to be computed. The President may authorise the governor of the Panama Canal and the chairman of the Alaskan Engineering Commission to pay the compensation provided by this Act, including the medical, surgical, and hospital services and supplies provided by §9 and the transportation and burial expenses provided by §§9 and 11, out of the appropriations for the Panama Canal and for the Alaskan Engineering Commission, such appropriations to be reimbursed for such payments by the transfer of funds from the employees' compensation fund.

## (B) STATES.

### I. COLORADO.

**Act Chapter 180. Industrial Commission—Safety of employees.** 12th April, 1915. ("Bulletin of the U.S. Bureau of Labour Statistics"; whole No. 186, p. 105.)

#### [EXTRACT.]

Section 27. The commission shall do all in its power to promote the voluntary arbitration, mediation and conciliation of disputes between employers and employees, and to avoid the necessity of resorting to strikes, lock-outs, boycotts, black-lists, discriminations and legal proceedings in matters of employment. In pursuance of this duty it may appoint temporary boards of arbitration, provide necessary expenses of such boards, order reasonable compensation not exceeding 10 dollars per day for each member engaged in such arbitration, prescribe rules of procedure for such arbitration boards, conduct investigations and hearings, publish reports and advertisements and do all other acts and things convenient or necessary to accomplish the purposes directed in this Section.

Any investigation, inquiry or hearing may be undertaken or held by or before any commissioner, deputy, agent or board of arbitration or committee designated for that purpose by the commission, and every finding, order, award or decision made by those so designated, pursuant to such investigation, inquiry or hearing, when approved and confirmed by the commission, shall be and be deemed to be the finding, order, award or decision of the commission.

Section 28. For the purpose of such investigations, hearings or arbitrations, the commission or any arbitration board appointed by the commission shall have all the powers of summoning before it, and enforcing the attendance of witnesses, of administering oaths and of requiring witnesses to give evidence on oath, or on solemn affirmation, and to produce such books, papers or other documents or things as the commission or the board deems requisite to the full investigation of the matters into which it is inquiring, as is vested in any court of record in civil cases.

Any members of the commission or the board may administer on oath, and the commission or the board may accept, admit and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not. Any party to the proceedings shall be competent and may be compelled to give evidence as a witness.

Section 29. Employers and employees shall give at least thirty days' notice of an intended change affecting conditions of employment with respect to wages or hours; and in every case where a dispute has been made the subject of an investigation, hearing or arbitration by the commission or the board, until the dispute has been finally dealt with by such commission or board, neither of the parties nor the employees affected shall alter the conditions of employment with respect to wages or hours, or on account of the dispute do, or be concerned in doing, directly or indirectly, anything in the nature of a lock-out or strike, or a suspension or discontinuance of work or employment; but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute; but if either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, such party shall be guilty of a misdemeanour and, upon conviction thereof, shall be punished by a fine of not more than 100 dollars.

Section 30. It shall be unlawful for any employer to declare or cause a lock-out or for any employee to go on strike, on account of any dispute prior to or during an investigation, hearing or arbitration of such dispute by the commission or the board under the provisions of this Act: Provided that nothing in this Act shall prohibit the suspension or discontinuance of any industry or of the working of any persons therein for any cause not constituting a lock-out or strike, or to prohibit the suspension or discontinuance of any industry or of the working of any persons therein which industry is not affected with a public interest: Provided, further, that nothing in this Act shall be held to restrain any employer from declaring a lock-out or any employee from going on strike in respect to any dispute after the same has been duly investigated, heard or arbitrated under the provisions of this Act.

Section 31. Nothing in this Act shall be construed to make any findings, determination of the rights of said parties, decision or award of said commission or of any board of arbitration appointed thereby upon the facts of such controversy, binding, conclusive or enforceable upon any of the parties thereto or affected thereby, unless—

(1) Such parties have agreed in writing prior to the commencement of any such investigation or arbitration, or during the continuance thereof,



to accept and be bound by the terms of such findings, determination of rights decision or award, and then only to the extent in such written agreement provided ; or,

(2) Unless said parties shall agree to accept and be bound by such action of the commission or board of arbitration, after the same has been made known to them : Provided, however, that in either such instance, the findings, determination of rights, decision and award of said commission or board of arbitration, when confirmed by formal order of said commission, shall be and remain in full force and effect, according to the terms and for the time provided in such formal order of the commission, and shall be binding, effective and enforceable upon the parties thereto, as any finding, order or award of the commission under the provisions of this Act.

Section 32. Any employer declaring or causing a lock-out contrary to the provisions of this Act shall be guilty of a misdemeanour and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each day or part of a day that such lock-out exists.

Any employee who goes on strike contrary to the provisions of this Act shall be guilty of a misdemeanour and, upon conviction thereof, shall be punished by a fine of not less than ten dollars (\$10) nor more than fifty dollars (\$50) for each day or part of a day that such employee is on strike.

Section 33. Any person who incites, encourages or aids in any manner any employer to declare or continue a lock-out, or any employee to go on or continue on strike, contrary to the provisions of this Act, shall be guilty of a misdemeanour and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50) nor more than one thousand dollars (\$1,000) or by imprisonment in the county jail for a term of not more than six months, or both such fine and imprisonment in the discretion of the court.

## 2. IDAHO.

**Act Chapter 27. Provisions for unemployment—Public Works** 1st March, 1915. (" Bulletin of the U.S. Bureau of Labour Statistics " ; whole No. 186, p. 135.)

Section 1. The board of county commissioners of the various counties within the State of Idaho are hereby authorised and required to provide emergency employment.

Section 2. Any person who is a citizen of the United States and who has been a resident of the State of Idaho for an uninterrupted period of not less than six months shall be entitled to emergency employment, subject to the provisions of this Act.

Section 3. The board of county commissioners shall designate certain work upon public highways or such other work as they may determine as emergency employment.

Section 4. The compensation persons employed at emergency employment shall receive shall be such compensation as may be fixed by the county commissioners ; and any person who shall fail or refuse to perform the labour to which he may be assigned with due and reasonable diligence shall for the first offence be suspended from such employment for a period of one week, and for the second offence shall be disqualified from the benefit of emergency employment for a period of one year.

Section 5. No person shall be entitled to more than sixty (60) days' employment at emergency employment during one fiscal year within the State of Idaho.

Section 6. An applicant for emergency employment shall appear before the clerk or any member of the board of county commissioners and make oath or affirmation to the following facts, to wit :

- (1) That he is a citizen of the United States.
- (2) That he has been a resident of the State of Idaho for an uninterrupted period of not less than six months.
- (3) That he is a resident of the county in which such application is made, and has been for more than ninety (90) days last past.
- (4) That he is unable to secure other employment.
- (5) That he does not own or possess negotiable, real or personal property of a total value of more than one thousand dollars (\$1,000).
- (6) That he has or has not, as the case may be, dependants, and if he has such dependants, name them individually and separately and state the relationship of each to him.
- (7) That he has or has not, as the case may be, been employed at emergency employment within the State of Idaho during the twelve months last past.
- (8) That he will perform the labour to which he may be assigned with due and reasonable diligence and in a fair and workmanlike manner, to the best of his ability, and such applicant must be identified and vouched for by some freeholder in the county where application is made.

Section 7. Payments of all accounts for emergency employment shall be made by the county treasurer from the current expense fund of the county in which such labour is performed and shall be in lawful money of the United States or its equivalent.

[Section 8. Warrants and vouchers.—§9. Reports.—§10. Records.—§11. Annual statement.—§12. Reimbursement by State.—§13. Forms, etc.—§14. Duty of State Auditor.—§15. State Treasurer.—§16. Violations.]

## II. France

1. *Loi du 29 décembre 1915 portant 1<sup>o</sup> ouverture sur l'exercice 1916, des crédits provisoires applicables au 1<sup>er</sup> semestre 1916.* (Bulletin du Ministère du Travail, 1916, 1 [\*].)

**Act to open in the Budget for 1916 provisional credits applicable to the first half-year of 1916.** (Dated 29th December, 1915.)

[EXTRACT.]

15. The first paragraph of §119 of the Finance Act of 15th June, 1911, shall be amended as follows :

"The use of the credit opened in the Ministry of Labour for subventions to public employment bureaux shall be regulated by a Decree countersigned by the Minister of Labour and the Minister of Finance."

2. *Décret du 15 février 1916 modifiant le décret du 25 mars 1911 portant règlement d'administration publique pour l'exécution de la loi sur les retraites ouvrières et paysannes, modifié par les décrets des 6 août 1912, 5 juin et 26 juillet 1913.* (B.M.T. 1916, 4 [\*].)

**Decree to amend the Decree of 29th March, 1911,\* issuing public administrative regulations for the enforcement of the Act respecting pensions for workers and peasants as amended by the Decrees of 6th August, 1912, and 5th June and 26th July, 1913.** (Dated 15th February, 1916.)

\* Title E.B. VII., p. 368, No. 30.



3. *Circulaire du Ministre du Travail, en date du 17 février 1916, relative à l'application de la loi du 17 août 1915 et du décret du 15 février 1916.* (B.M.T. 1916, 9 [\*].)

**Circular of the Minister of Labour respecting the application of the Act of 17th August, 1915,\* and the Decree of 15th February, 1916.†** (Dated 17th February, 1916.)

4. *Circulaire du Ministre du Travail et de la Prévoyance sociale, en date du 23 février 1916, relative à l'application de la loi du 10 juillet 1915, sur le salaire des ouvrières à domicile dans l'industrie du vêtement.* (B.M.T. 1916, 2 [\*].)

**Circular of the Minister of Labour respecting the application of the Act of 10th July, 1915, respecting the wages of women home-workers in the clothing trade.** (Dated 23rd February, 1916.)

The Circulars which have been addressed to you on the matter of the application of the Act of 10th July, 1915,‡ have drawn your attention to the importance of the wages and minimum scales applicable to home-work being fixed as soon as possible in all the departments.

It is important that the delays in the application of the Act which have arisen in certain departments should not create in the different departments differences of treatment, which might lead to the displacement of work and have serious reactions upon the position of the workers and of the manufacturers themselves.

Actually the wages committees have fixed the minimum wage in the majority of the departments. A large number of committees of experts have also drawn up tables showing the time required to make the articles in question.

I shall be obliged to you if you will convey these observances to the committees of your department and appeal to them to be prompt in fixing the wages and scales contemplated in the Act.

Kindly inform me, as a matter of urgency, of the state of this question in your department and of the decisions taken by the committee.

5. *Décret du 12 mars 1916 relatif aux subventions à allouer aux bureaux de placement.* (B.M.T. 45 [\*].)

**Decree respecting the subventions to be granted to public employment bureaux** (Dated 12th March, 1916.)

1. Departmental and municipal employment bureaux charging no fees and satisfying the conditions laid down by the present Decree may participate in the State subventions.

Municipal bureaux receiving from the department subventions to enable them to play the part of departmental bureaux, either for the whole or part of the department, may participate in the subventions provided for departmental bureaux under the present Decree.

2. Every bureau shall be placed under the control of a representative committee consisting half of employers and half of employees or workers chosen from the principal trades using the services of the bureau.

3. If there are several free municipal employment bureaux for the same trade in the same commune, the State subvention shall only be granted in respect of one bureau.

\* Text E.B. XI., p. 101. No. 48.

† Title E.B. XI., p. 203, No. 2.

‡ Text E.B. X., p. 201.

Notwithstanding, bureaux which have organised amongst themselves a system of regular and rapid interchange of information concerning applications for and offers of work shall be counted as one bureau.

4. In support of the first application for a subvention the department or the municipality shall supply the Ministry of Labour with a copy of the internal regulations of the bureau for which the application is made.

Any change made in the regulations shall be communicated immediately to the Ministry of Labour.

5. The regulations of the bureau shall determine the method of selecting the members of the representative committee, their term of office and the procedure for appointing the president, who shall not be either an employer or a worker or employee; the intervals at which meetings shall be held; the method of supervising the management of the bureau; the relations of the committee with the departmental or municipal administration; any indemnities or attendance vouchers for the members, etc.

In any debate only an equal number of employers and workers or employees shall take part in the voting. The president shall not have the right to vote.

6. The regulations shall determine, in addition, the functions and remuneration of the official or officials in charge of the bureau, and the general lines on which the bureau shall be conducted (hours of opening, method of enrolling, acceptance of applications and offers by correspondence, etc.).

7. When the official in charge of the bureau is aware of the existence of a strike or lock-out, the bureau shall continue to act, but the official shall be bound to announce the existence of the strike or lock-out to every unemployed person who is offered employment in an undertaking affected by the dispute, directly or indirectly.

8. The subventions shall be granted half-yearly.

For each of the half-yearly distributions, the Minister of Labour shall fix the proportions in accordance with which the credit shall be distributed, after consultation with the Commission contemplated in §16 below and in conformity with §§10 and 11.

Every Ministerial decision shall be inserted in the *Journal Officiel* and the *Bulletin du Ministère du Travail*.

9. The amount of the subventions shall be fixed by the Ministerial Order. The corresponding expenses shall be estimated according to the date of the said Order.

10. The subvention shall consist of three parts:—

(a) A grant proportional to the expenses allocated to the bureau out of the ordinary resources of the departmental or communal budget and estimated by taking into consideration the number of places filled, provided that the said proportions shall not exceed the following maxima:

- 20 per cent. of the expenses in the case of every bureau, having filled, on an average, from 25 to 50 places in a month;
- 25 per cent. of the expenses in the case of every bureau having filled, on an average, from 51 to 100 places in a month;
- 30 per cent. of the expenses in the case of every bureau having filled, on an average, from 101 to 200 places in a month;
- 35 per cent. of the expenses in the case of every bureau having filled, on an average, from 201 to 500 places in a month;
- 40 per cent. of the expenses in the cases of every bureau having filled, on an average, more than 500 places in a month.



(b) A grant in proportion to the expenses (postage, telegraphic and telephonic communication between towns) resulting from correspondence, having the object of providing workers for employers or situations for unemployed workers residing outside the locality in which the bureau or its headquarters is situated, and with other departmental and municipal bureaux and the Central Office of Employment Bureaux established at Paris, provided that this grant shall not exceed 50 per cent. of the expenses thus shown.

(c) As far as concerns departmental bureaux, a grant proportional to the travelling and board allowances paid to the representatives of these bureaux in respect of places filled outside the locality in which the bureaux or their headquarters are situated, provided that this grant shall not exceed 50 per cent. of the expenses thus shown.

The scale on which the travelling and board expenses of representatives shall be reimbursed, and the maximum annual credit devoted to these expenses shall be approved by the Minister of Labour. Expenses exceeding this maximum shall not count for the purpose of calculating the said grant.

The expenses on which the grant contemplated in paragraph (a) is calculated shall not include the expenses contemplated in paragraphs (b) and (c).

When the department shares the expenses of a municipal bureau under the conditions contemplated in the first Section, the State subvention shall be divided between the department and the commune in proportion to their respective expenses.

If the subvention calculated in accordance with the above rules includes a fraction of a franc, the centimes shall be suppressed and the amount increased by 1 franc.

11. No subvention shall be granted to any bureau which has not filled, on an average, 25 places a month.

Notwithstanding, where no subvention is paid, a grant may be made to departments or communes as a share in the initial expenses of opening their employment bureaux. This grant shall not exceed 20 per cent. of the expenses attributed to this purpose in the ordinary departmental or communal budget for the half-year in respect of which the subventions are distributed. The grant shall be calculated on the basis of maximum expenses of 5,000 francs and shall be distributed between the department and the commune under the conditions contemplated in §10, paragraph 4.

The administration concerned shall produce vouchers for the expenditure.

12. Departmental and municipal administrations desiring to share in the subventions shall address to the Minister of Labour, within a period of two months dating from the end of the half-year for which the subvention is requested, a duly certified statement showing :

(a) The number of places offered and applications for employment received during the past half-year ;

(b) The number of places filled, both permanent and daily situations, and in addition indicating the number of places, if any, filled by exchange with other public employment bureaux ;

(c) The amount of the expenses incurred in filling the places, showing separately, where occasion arises, the expenses contemplated in paragraphs (b) and (c) of §10.

The necessary forms shall be supplied by the Minister of Labour.

13. The statements contemplated in the preceding Section may be replaced, in pursuance of a Ministerial authorisation issued after consultation with the Commission on the Distribution of Subventions, by an extract from

the report and balance sheet of the bureau, if this report is published and contains sufficient information.

14. The municipal and departmental bureaux shall be bound to send in, at intervals of which they shall be informed, periodical returns, duly filled in, of the state of the labour market in their districts, the form for which shall be sent to them by the Central Office of Employment Bureaux. The same duty shall devolve upon municipal bureaux, as regards forms for periodical returns sent to them by the departmental bureaux of their departments.

15. The departmental and municipal administrations shall be bound to provide the Minister of Labour with all the explanations which may be asked for and, if necessary, to allow the accounts of their bureaux to be inspected.

16. A Commission on the Distribution of Subventions to free public employment bureaux shall be established, consisting of :

Two Senators,

Two Deputies,

The Director of Labour,

The Director or Chief of the Office of the Minister of Labour,

The General Director of Public Accounts, or his representative,

An Inspector of Finance,

A Chief Clerk of the Labour Office,

Three representatives of departmental or municipal employment bureaux,

Two employers' representatives and two workmen's representatives on the Superior Labour Council, elected by their colleagues.

17. The members of the Commission contemplated in the preceding Section shall be appointed each year by the Minister of Labour.

18. The Minister may, after consultation with the Commission, grant dispensation from one or more of the provisions of the present Decree, for one year, to departments and municipalities on their applying for the first time for a subvention for a departmental or municipal employment bureau.

19. The annual report on the working of the system and the distribution of the credit shall be inserted in the *Journal Officiel* and the *Bulletin du Ministère du Travail*.

20. The Decree of 25th October, 1911, and 24th May, 1912, shall cease to apply from the publication of the present Decree.

21. The Minister of Labour and the Minister of Finance are charged, each in so far as he is concerned, with the enforcement of the present Decree, which shall be published in the *Journal Officiel* and the *Bulletin des Lois*.

6. *Loi du 15 avril 1916 instituant des dispensaires d'hygiène sociale et de préservation anti-tuberculeuse.* (B.M.T. 1916, 4 [\*].)

**Act to establish dispensaries of social hygiene and for the prevention of tuberculosis.** (Dated 15th April, 1916.)

7. *Décret du 14 mars 1916 rendant applicable à l'Algérie l'article 1er de la loi du 23 juillet 1907, sur l'hygiène et la salubrité dans les mines, et le décret du 14 janvier 1909 réglementant l'exploitation des mines.* (J.O. 1916, 2123 ; Bulletin du Ministère du Travail et de la Prévoyance Sociale 1916, 73 [\*].)

**Decree bringing into force in Algeria §1 of the Act of 23rd July, 1907,\* respecting hygiene and health in mines, and the Decree of 14th January, 1909,† regulating the working of mines.** (Dated 14th March, 1916.)

\* Text E.B. II., p. 384. No. 13.

† Text E.B. IV., p. 83.



8 and 9. *Décrets du 22 mai 1916, déterminant les conditions d'application à la Réunion des livres I. et II. du Code du Travail et de la Prévoyance Sociale.* (B.M.T. 1916, 77 [\*].)

**Decrees determining the conditions under which Books I. and II. of the Code of Labour shall apply to Reunion.** (Dated 22nd May, 1916.)

[The first Decree corresponds to the Decree of 2nd March, 1912 (Text E.B. VIII., p. 280, No. 2), extending the provisions of Book I. of the Code of Labour to Martinique, with the following important addition :

“ 2. The provisions of §2 of the said Act shall be amended as follows :

‘Notaries, secretaries of mayoral offices, and clerks to the Justices of the Peace may receive apprenticeship agreements for registration.

Such agreements shall be registered free of charge.’

The second Decree corresponds with the Decree of 12th February, 1913 (Extract E.B. XI., p. 74, No. 5), applying the provisions of Book II. of the Code of Labour to Martinique, with the following important alterations :

1. Children under the age of 13 years shall not be employed or admitted to works, factories, quarries, *mines and pits*, yards, workshops or their dependencies. . . .

13. All work between 8 o'clock in the evening and 6 o'clock in the morning shall be held to be night-work.

18. (*New.*) It shall be unlawful to employ deliberately any foreigner who is not provided with a registration certificate required by the Act dated 8th August, 1893.

38. The functions of Inspector of Labour in Réunion shall be carried out under the direct supervision of the Governor of the Colony by a special staff selected locally from among the officials of various departments of the Colony by competition under conditions prescribed by the Minister. These officers, who shall take the title of Inspector of Labour, are entrusted with the duty of carrying out this Decree. They are also entrusted with the carrying out of §107 of Book I. of the Code of Labour, in so far as it is rendered applicable to Réunion by the Decree dated 22nd May, 1916.

The duties of a Protector of Immigrants, as defined by the Decree dated 30th March, 1881, may also be entrusted to the Inspectors of Labour.]

10. *Circulaire du Ministre du Travail et de la Prévoyance Sociale en date du 7 juin 1916, relative aux enquêtes sur les salaires minima en cas de protestations devant la Commission centrale (loi du 10 juillet 1915).* (B.M.T. 1916, 88 [\*].)

**Circular of Minister of Labour respecting the inquiries into the minimum rates of wages in case of objections brought before the Central Commission.** (Act of 10th July, 1915.) (Dated 7th June, 1915.)

The Department of Labour Inspection may have to carry out inquiries in connection with objections raised against decisions made by the wages committees and committees of industrial experts established under the Act of 10th July, 1915.\*

These objections may deal : (1) with the amount of the minimum hourly wage fixed by the departmental wages committee ; (2) with the time required to make the articles, as estimated by the committees of industrial experts.

\* Text E.B. X., p. 201.

The following instructions shall be observed by the inspectors when requested to make inquiries in connection with the amount of the basic minimum wage fixed by a departmental wages committee.

According to the rules laid down in §33e of the Act, the basic minimum wage must be fixed :

(1) In districts where there are workshops in the industry in question, in accordance with the amount of the usual daily wage paid *in the district* to women workers of the same trade and *of average skill* working in workshops, by the hour or day, and carrying out the various regular branches of work in the trade ;

(2) In districts where home-work alone exists in the industry in question, in accordance with the average wage of women working in workshops and carrying out *analogous branches of work* in the district.

(3) If in the district there are no workshops where the women workers carry out branches of work analogous to those of the industry in question, in accordance with the wages of women working in workshops in *similar districts* ;

(4) If in the district or in similar districts there are no workshops where the women workers carry out branches of work similar to those of the industry in question, in accordance with the wage usually paid to women working by the day in the district.

Inquiries into the amount of a basic minimum wage which is contested shall be conducted under the following conditions in conformity with a request expressed by the Central Wages Commission.

I. If, in the district and for the industry to which the minimum wage giving rise to the objection applies, there are workshops employing women in the same trade, the report of the inspector shall consist of a table showing :

(1) The workshops to which the inquiry related, giving the names of the manufacturers and the address for each workshop.

The inquiry shall cover workshops situated in various parts of the department, so as to reveal the differences in the wages, if any ;

(2) The total number of women working in each workshop included in the inquiry ;

(3) The number of women in each workshop included in the inquiry who possess a higher degree of skill than the average and earning higher wages, giving the average amount of the wage paid to them by the hour or for a day of 10 hours ;

(4) The number of women of average skill\* in each workshop included in the inquiry, giving the average and current amount of the wage paid to them by the hour or for a day of 10 hours ;

(5) The number of women in each workshop included in the inquiry who possess a lower degree of skill than the average, giving the average wage paid to them by the hour or for a day of 10 hours.

These particulars shall be given for every occupation in the clothing industry to which the contested minimum wage applies when differences between the wages in such occupations are shown. The various occupations in the clothing trade shall, however, not be distinguished so far as to descend to specialities.

The table appended to the present Circular is proposed as a model form for containing these particulars.

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\* Women of average skill are those who earn the current wage ; their wages differ as a rule by little ; whilst the wages of the workers of the two other groups may be represented on a fairly wide scale according to their skill or inexperience.



In order that the Central Wages Commission may be able to issue its awards with the value of the information furnished guaranteed to the fullest extent, it will be desirable that such particulars shall be based not only upon statements made by employers or workwomen, but also upon the evidence of wages books or other documents wherever it is possible to refer to the same.

In any case, the source of each particular shall be given precisely, by showing in a special note in a column of the table : (a) if it was possible to base the information on the evidence of documents ; (b) if it is based on an employer's statement ; (c) if it is based on a workwoman's statement.

An analogous table may be drawn up summarising the particulars concerning wages, not relating to specific workshops, which may be furnished to the inspector by organisations of employers or workers or by the military supplies department (intendance).

II. If in the district and for the trades to which the minimum wage fixed applies there are no women in the same trade working in workshops, the report shall mention this expressly ; the inquiry shall deal with workshops employing women in the district where work is performed which, in the opinion of the inspector may be regarded as analogous to that performed in the trade under consideration. The particulars to be furnished for these workshops will be the same as those indicated in the first case.

III. If, in the district and for the trade in question, there are no workshops employing women where analogous work is performed, the inquiry shall relate to workshops employing women where analogous work is performed in similar districts.

The divisional inspector shall in this case give his advice as regards the districts which may be regarded as similar. If these districts are within his official district, he shall undertake the inquiry or cause it to be undertaken ; in the opposite case he shall inform the central administration of the circumstances. This inquiry shall be made eventually under the conditions already indicated.

IV. If in the district, or in similar districts, there are no workshops employing women where work analogous to that of the trade in question is performed, the inspector shall present what observations he may be able to make on the subject of the wage usually paid in the district to women working by the day, showing, if necessary, the differences in such daily wages in the various parts of the district.

II. *Circulaire du Ministre du Travail, en date du 17 juillet 1916, relative aux enquêtes à faire en cas de protestation concernant des durées déterminées pour l'exécution de travaux faits en série ou à la pièce par un Comité professionnel d'expertise. (B.M.T. 1916, 119 [\*].)*

**Circular of the Minister of Labour respecting the inquiries to be made in case of objections respecting the times required for the performance of work done in quantities or by the piece, determined by a committee of industrial experts. (Dated 17th July, 1916.)**

By a Circular dated 7th June, 1916,\* I informed you of the conditions under which the Department of Labour Inspection was to undertake inquiries required in connection with objections concerning the amount of a basic minimum wage fixed by a departmental wages committee.

The object of the present Circular is to lay down the rules to be followed in inquiries required in connection with objections raised to the times for the

\* Text E.B. XI., p. 207. No. 10.

performance of work done in quantities or by the piece, fixed by a committee of industrial experts.

You will observe, moreover, that these inquiries are not likely to be very numerous ; in fact, on principle, a fresh inquiry will not be undertaken every time that an objection is raised concerning articles the time required for making which has already been the object of an inquiry.

In accordance with paragraph 5 of §33g of the Act, the committees of industrial experts are required to draw up tables of the times necessary to perform work done in quantities for the various articles and the different classes of women workers in the trades and districts to which their jurisdiction extends.

Although, in the fixing of the hourly minimum wage for women home-workers, §33e, paragraph 1, requires the wages committees to ascertain the prices paid to women employed in workshops, §33g does not impose a similar obligation upon committees of industrial experts.

Paragraph 6 of §33g merely requires that the minimum wages applicable to articles made in quantities shall be determined from the minimum hourly rate of wages fixed by the wages committee, multiplied by the number of hours necessary to perform the work involved in these articles.

In the argument preceding the award issued on 9th March, 1916, on an objection raised against times required for making articles as determined (Department of Hérault), the Central Wages Commission states that "although the hours of work in workshops cannot serve as the sole and necessary basis for fixing the hours of home-work when, either by reason of the division of work or by reason of the improved tools, the conditions in the two cases are fundamentally different, they may, on the contrary, be taken into consideration when these conditions are appreciably similar."

In accordance with the rule thus laid down and with a wish expressed by the Central Wages Commission, the inquiries to be made in case of objections respecting the times for the performance of work as determined by a committee of industrial experts, shall be conducted under the following conditions :—

(A) *General particulars relating to the work contemplated by the objection.*

The report of the inspector shall indicate for each branch of work the time required for which is contested, if the work is done in quantities, and whether the article on which the work is done is an article of current manufacture. The work and the article shall be described as minutely as possible.

The report shall show, for each branch of work the time required for which is contested, the importance of this work in the district, every effort being made to state precisely, as far as this may be possible, the number of women employed in it : (1) in workshops ; (2) in their homes, so as to show, if necessary, the effects which the contested times and the piece-work price which would result, if maintained, might have upon the diminution or development of home-work or employment in workshops.

(B) *Particulars concerning especially the time required for the performance of the work contemplated by the objection.*

The inquiry shall relate to certain ascertained times for the performance of work : (a) at home ; (b) in workshops.

(a) *Inquiry into the time required for the performance of work at home.*

These facts need not relate to many women workers, but should relate to particularly typical cases.



The report shall indicate the conditions as regards *tools* and *division of work* under which the work is ordinarily performed in the workers' homes in the district.

The results of information supplied by the Department of Inspection and the particulars obtained of the home-work under consideration shall be shown on a table giving :—

(1) The place of residence of the women home-workers visited or in respect of whom certain particulars have been obtained ;

(2) The total number of these women included in the inquiry ;

(3) The number of women workers included in the inquiry who possess a higher degree of skill than the average, giving the average time taken by them to perform the work in question ;

(4) The number of women workers included in the inquiry of average skill, giving the average and current time taken by them to perform this work ;

(5) The number of women workers included in the inquiry who possess a lower degree of skill than the average, giving the average time taken by them to perform this work.

The inquiry shall extend over the various parts of the district where women workers perform this work in their homes.

If in the district there exist considerable differences in the methods used in the workers' homes for performing the work in question (machine, hand, division of work), the report shall present a table for each of these methods, showing as far as possible the number of women home-workers working in the district according to each of these methods.

(b) *Inquiry into the times required for the performance of work in workshops.*

I. The Department of Labour Inspection shall inquire whether there are in the district any workshops where the work under consideration is performed under the same conditions as regards tools or division of work as in the case of home-work.

The report shall give the results of the information supplied or the particulars thus obtained as regards the times required for the performance of the work in workshops of this kind, in a table indicating for each branch of work considered :

(1) The workshops to which the inquiry related, giving the names of the manufacturers and the address for each workshop ;

(2) The total number of women working on the said work in each workshop included in the inquiry ;

(3) The number of women in each workshop included in the inquiry who possess a higher degree of skill than the average, giving the average time taken by them to perform the work in question ;

(4) The number of women of average skill in each workshop included in the inquiry, giving the average and current time taken by them to perform the work ;

(5) The number of women in each workshop included in the inquiry who possess a lower degree of skill than the average, giving the average time taken by them to perform the work.

The report shall give, where possible, the number of women employed in the district in performing the work in question in workshops of this kind.

II. It will likewise be of interest to collect particulars of the times taken to perform the work to which the objection relates, in certain workshops of the district, where this work is performed under conditions as regards improved

tools and division of work which differ from those met with where the work is performed in the workers' homes. It will be expedient always to undertake such an inquiry in cases where no workshops with tools and division of work comparable to those prevailing in homework have been found.

The report shall give the results of the inquiry into the times required for the performance of work in workshops of this kind, in a table containing the same particulars as those required for workshops of the first class, showing precisely for each workshop covered by the inquiry the tools and method of division of work used for the performance of the work in question.

The report shall show, where possible, the number of women employed in the district on this work in workshops of this second class.

III. Where, in the district, there are no workshops of these two classes, the inquiry shall relate to workshops of these two classes existing in similar districts.

The divisional inspector shall, in this case, give his advice as regards the districts which may be considered similar. If these districts are within his official district he shall undertake the inquiry or cause it to be undertaken. In the opposite case he shall inform the central administration of the circumstances. This inquiry shall be made eventually under the conditions indicated above.

Finally, in general, the tables should show the sources from which the times required for the performance of work contained in them were ascertained, indicating whether the facts were supplied by the Department or whether the particulars were collected from employers or employers' organisations, from workers or workers' organisations, or from any other stated sources.

12. *Loi du 29 juillet 1916 modifiant l'article 4 de la loi du 20 juillet 1895 sur les caisses d'épargne et l'article 6 de la loi du 12 avril 1906, sur les habitations à bon marché.* (B.M.T. 1916, 110 [\*].)

**Act to amend §4 of the Act of 20th July, 1895, respecting savings banks and §6 of the Act of 12th April, 1906,\* respecting cheap dwellings.** (Dated 29th July, 1916.)

I. Section 4 of the Act of 20th July, 1895, shall be replaced by the following :—

“The account opened by any depositor shall not exceed 3,000 frcs. Section 9 of the Act of 9th April, 1881, shall apply to accounts which exceed this maximum.

Every savings bank, except the national savings bank, shall forward annually to the Minister of Labour a statement of the accounts which would exceed the authorised maximum.

In the case of mutual aid societies and institutions specially authorised to deposit funds in savings banks, the maximum amount deposited may amount to 25,000 frcs.

The second paragraph of §13 of the Act of 9th April, 1881, shall apply to the accounts of such societies and institutions which exceed this maximum.”

2. The last paragraph of §6 of the Act of 12th April, 1906,\* as amended by the Act of 23rd December, 1912,† shall be replaced by the following :—

“The Deposit Fund (caisse des dépôts et consignations), 100 million francs, within the limits of applications approved by the Supervisory Com-

\* Text E.B. I., p. 442, No. 2.

† Title E.B. XI., p. 73, No. 1.



mission of the Deposit Fund, in making loans to public cheap dwelling offices and cheap dwelling societies, under the conditions laid down by the Acts of 12th April, 1906/23rd December, 1912, the reserve and guarantee funds of the savings banks, and, failing these, the funds deposited by savings banks; these loans shall be made at the average rate of interest produced in the course of the preceding year from the investment of the funds of the savings banks."

13. *Circulaire du Ministre du Travail, en date du 31 juillet 1916, relative à l'application de la loi du 19 juillet 1915 sur le salaire des ouvrières à domicile dans l'industrie du vêtement.* (B.M.T. 1916, 124 [\*].)

**Circular of the Minister of Labour respecting the application of the Act of 19th July, 1915,\* relating to the wages of women home-workers in the clothing trade.** (Dated 31st July, 1910.)

14. *Circulaire du Ministre du Travail, en date du 12 août 1916, sur le rôle des offices publics de placement, en ce qui concerne la main d'œuvre agricole.* (B.M.T. 1916, 124 [\*].)

**Circular of the Minister of Labour respecting the functions of public employment bureaux as regards agricultural labourers.** (Dated 12th August, 1916.)

### III. Germany

1. *Gesetz., betreffend Renten in der Invalidenversicherung.* Vom 12. Juni 1916. (R.G.Bl., S. 525.)

**Act respecting compensation under the Invalidity Insurance.** (Dated 12th June, 1916.)

#### §1.

Sections 1257, 1291, 1292, 1392, 1397 of the Imperial Insurance Code† shall read as follows:—

1257. An insured person shall receive an old age pension from the conclusion of his 65th year, even if he is not an invalid.

1291. If the recipient of an invalidity pension has children under 15 years of age, the invalidity pension shall be increased for each child by one-tenth.

1292. The share of the insurance institute shall amount in the case of widows' and widowers' pensions to 3-10ths, in the case of orphans' pensions to 3-20ths for each orphan, of the basic amount and of the supplementary increase of the invalidity pension which the breadwinner was drawing at the time of his death, or would have drawn in the case of invalidity.

1392. Until further notice the weekly contributions shall be as follows:

In	Wage Class	I.	..	..	..	18 pf.
"	"	II.	..	..	..	26 pf.
"	"	III.	..	..	..	34 pf.
"	"	IV.	..	..	..	42 pf.
"	"	V.	..	..	..	50 pf.

\* Text E.B. X., p. 201.

† For English translation see "Bulletin of the United States Bureau of Labour," No. 96, 1911.

1397. In order to cover the general cost, every insurance institute shall, from the 1st January, 1917, onwards, set aside in its accounts 60 per cent. of the contributions as general assets. The institute shall credit the interest to the general assets, as set aside in the books. The Federal Council shall fix the rate of interest uniformly for the same periods as for contributions.

## §2.

Sections 1294 and 1295 of the Imperial Insurance Code shall be deleted.

## §3.

Section 65, paragraph 1, of the Introductory Act for the Imperial Insurance Code\* shall read as follows :—

Insured persons who had completed their 35th year of age when the compulsory insurance came into force for their branch of industry shall be credited in the computation of the waiting period for the old age pension with 40 weeks for every complete year by which they at that time exceeded the age of 35, and a proportionate number of weeks for the part of such a year in excess up to 40.

## §4.

The special institutes authorised by the Federal Council in pursuance of §§1360 and 1380 of the Imperial Insurance Code shall be held to be authorised up to 30th September, 1916, without any fresh authorisation from the Federal Council. Up to that date they must grant old age pensions and benefits for dependants in accordance with this Act.

The supervising authority shall determine the day by which the special institutes must effect the necessary alterations in their rules. If a special institute fails to make the necessary arrangements in due time, the supervising authority shall alter the rules.

## §5.

The provisions of this Act respecting §§1392 and 1397 shall come into force on 1st January, 1917, and the remaining provisions shall have effect as from 1st January, 1916.

## §6.

Claims to old age pensions, orphans' pensions or orphans' bonuses, the proceedings for fixing which are still in progress on the publication of this Act, shall be subject to the provisions of this Act. The fact that these provisions are not applied may be taken as a ground for revision, even if the Superior Insurance Office could not yet apply them.

Claims to old age pensions, orphans' pensions or orphans' bonuses, respecting which the decision was issued after 31st December, 1915, shall be examined by the insurance institute in the light of this Act, in so far as paragraph 1 does not apply. If the result of this inquiry is more favourable to the person entitled to the pension, or if the said person so desires, a new decision may be made in reference to his case.

Old age pensions granted under this Act shall begin at the earliest on 1st January, 1916.

## §7.

After the 1st January, 1917, stamps of the values contemplated in the former Section 1392 of the Imperial Insurance Code shall not be used.

\* English translation in "Bulletin of the United States Bureau of Labour," No. 96,



Stamps which have lost their validity may be exchanged for valid stamps having the same money value within two years of the time when they ceased to be valid.

2. *Gesetz zur Aenderung des Vereinsgesetzes vom 19. April 1908.* Vom 26. Juni 1916. (R.G.Bl., S. 635.)

**Act to amend the Associations Act of 19th April, 1908.** (Dated 26th June, 1916.)

The following shall be inserted after §17 of the Associations Act :

§17a. The provisions of §§3 and 17 respecting political associations and their meetings shall not be applied to societies of employers and workers having the object of securing more favourable conditions of wages or work, merely because such societies work for such measures of social or economic legislation as are connected with the demanding or securing of more favourable conditions of wages or work or with the protection or promotion of economic or industrial measures in favour of their members or with trade questions in general.

## IV. Great Britain and Ireland

### ISLE OF MAN.

1. **An Act to extend and regulate the liability of employers to make compensation for personal injuries suffered by workmen in their service.** (Passed 5th May, 1904; promulgated 27th September, 1904.)
2. **An Act for the regulation of factories and workshops and for the protection of persons employed therein.** (Passed 27th October, 1908; promulgated 5th July, 1909.)

[EXTRACT.]

§§1, 2.—*Inspection.* §§3-5.—*Safety.* §§6-8.—*Notices.* §§9-11.

#### *Women and Young Persons.†*

12. (1) No woman or young person shall be employed, except on one day in any week, before six o'clock in the morning or after eight o'clock in the evening in any factory or workshop in which a system of employment in shifts or sets approved by the inspector of the area in which such factory or workshop is situate is not in force.

(2) No woman or young person shall be employed in any factory or workshop, during three days in any week, for more than eleven hours in each day, on one other day for more than 13 hours, or on one other day for more than 15 hours, nor on the remaining day of the week for more than six and a half hours.

(3) Every woman and young person shall be allowed during such employment an interval for meals—

(a) On every day except the day on which not more than six and a half hours are permitted, not less than two hours, of which one hour at the least, either at the same time or at different times, shall be before three o'clock in the afternoon;

\* Text E.B. III., p. 1.

† "Woman" means a woman of the age of 18 years and upwards; "young person" means a person who has attained the age of 14 years and is under the age of 18 years.

(b) On the day on which not more than six and a half hours are permitted, not less than half an hour.

(4) A woman or young person shall not be so employed continuously for more than five hours without an interval of at least half an hour for a meal.

(5) The Local Government Board may, from time to time, by order declare that all or any of the foregoing Sub-sections of this Section shall not apply to factories or workshops of any class described in such order or to women employed in any process so described, or shall not apply during such periods as the Board may prescribe.

(6) An occupier of a factory or workshop shall not knowingly allow a woman or girl to be employed therein within four weeks after she has given birth to a child.

#### *Children.\**

13. No child shall be employed in any factory or workshop.

#### *Overtime.*

14. (1) In any factory or workshop, other than a laundry, to which this exception applies, the period of employment for women may be two hours longer in any one day, and in a laundry the period of employment for women may be four hours longer on Saturday, and two hours longer on any other week-day, than is otherwise allowed by this Act, if they are employed in accordance with the following conditions, namely :

(a) There must be allowed to every woman for meals during such period of employment not less than two hours, of which half-an-hour must be after five o'clock in the evening ; and

(b) A woman must not be so employed in the whole for more than three days in any one week ; and

(c) Overtime employment under this Section must not take place in a factory or workshop, other than a laundry, on more than 40, and in a laundry on more than 50 days in the whole in any 12 months, and in reckoning that period of 40 or 50 days, every day on which any woman has been employed overtime is to be taken into account. The total overtime in a laundry must not exceed 100 hours in any 12 months.

(2) This exception applies in any case where an order is made by the Local Government Board in terms of the next following Sub-section.

(3) Where it is proved to the satisfaction of the Local Government Board that in any class of factories or workshops or parts thereof it is necessary, by reason of the perishable nature of the articles or material which are the subject of the manufacturing process or handicraft, or by reason of the material which is the subject of the manufacturing process or handicraft therein being liable to be spoiled by the weather, or by reason of press of work arising at certain recurring seasons of the year, or by reason of the liability of the business to a sudden press of orders arising from unforeseen events, to employ women in manner authorised by this exception, and that such employment will not injure the health of the women affected thereby, such Board may, by order, extend this exception to those factories or workshops or parts thereof.

#### *Women and Young Persons.*

15. (1) The occupier of a factory or workshop shall set up and maintain, in some conspicuous place therein, a printed or written notice showing the times at which such intervals as are required by §12, Sub-section (3), to be

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\* Children are persons under the age of 14 years.



allowed to women and young persons respectively shall be allowed, and the length of each interval.

(2) The Local Government Board may direct any occupier of a factory or workshop to keep, in such form and with such particulars as such Board may from time to time by order prescribe, registers of the women and young persons (if any) employed in such factory or workshop, and of their respective employment.

16. No occupier of a factory or workshop shall employ therein on any day any woman or young person who has, to his knowledge, already been employed on the same day in any other factory or workshop.

17. If a woman or young person is employed on the same day, both in a factory or workshop and in a shop, the whole period of employment of such woman or young person shall not exceed the number of hours permitted by this Act for his or her employment in the factory or workshop.

18. (1) A woman or young person who works in a factory or workshop, whether for wages or not, either in a manufacturing process or handicraft, or in cleaning any part of the factory or workshop used for any manufacturing process or handicraft, or in cleaning or oiling any part of the machinery, or in any other kind of work whatsoever incidental to or connected with the manufacturing process or handicraft, or connected with the article made or otherwise the subject of the manufacturing process or handicraft therein, shall, save as is otherwise provided by this Act, be deemed to be employed therein within the meaning of this Act.

(2) For the purposes of this Act, an apprentice shall be deemed to work for hire.

#### *Sanitary Provisions. [§§19-21.]*

##### *Bakehouses.*

22. An underground bakehouse shall not be used as a bakehouse unless it was so used at or before the promulgation of this Act.

23. During the period between and including the first day of October and the first day of May following, no person shall be employed for hire in any factory or workshop, being a bakehouse, at any time between the hours of ten o'clock in the afternoon and four o'clock on the following morning, except on the day preceding a bank holiday, and during one other day in each week, on which days such persons may be employed in such factory or workshop from midnight, and on one other day in each week, on which day such persons may be employed in such factory or workshop from three o'clock in the morning.

24. The provisions of this Act shall be in addition to the provisions relating to bakehouses contained in §§108 to 111 (both inclusive) of the Local Government Act, 1886.

*Procedure, §§25-34.—Rules and Regulations, §§35-37.—The Crown, §§38-39.*

## **IVa. British Colonies**

### **1. CEYLON.**

**1. Notification of the Governor : Rules relating to mines.** 13th August, 1908. (Ceylon Government Gazette, No. 6260, of 11th September, 1908.)

#### **[EXTRACT.]**

1. The Governor may from time to time, appoint such Inspectors as he may think necessary for the due execution of the provisions of the Ordinance No. 2 of 1896 in regard to mines, and award them such salaries as he may deem proper.

3. It shall be the duty of the Inspector of Mines to visit every working plumbago mine once in six months, and to report to such officer as His Excellency may direct. In the event of his inability to do this, he must send in a list of pits not inspected, the reason of his failure to inspect being given.

7. It shall not be lawful for the manager of a plumbago mine to employ any person under the age of fifteen to work in a pit.

10. It shall not be lawful for the owner or manager to employ any person under the age of eighteen or above the age of fifty-five in blasting in the tunnels and galleries of plumbago mines.

**2. An Ordinance to amend Ordinance No. 13 of 1889, intituled "An Ordinance amending the Law relating to Indian Coolies employed on Ceylon Estates." (No. 9 of 1909.) Assented to 18th May, 1909.**

[EXTRACT.]

[The following provisions were substituted for §6 of the Ordinance No. 13 of 1889.]

(1) It shall be the duty of every employer to pay the wages of the labourers in his employment monthly, within one month from the expiration of the month during which the wages have been earned.

(2) Where wages are payable at a daily rate, the monthly wages shall be computed according to the number of days on which the labourer was able and willing to work and actually demanded employment, whether the employer was or was not able to provide him with work. Provided that an employer shall not be bound to provide for any labourer more than six days' work in the week.

(3) When the contract of service is determined by one month's previous notice or warning by the labourer to the employer or by the employer to the labourer, all wages due to the labourer for his period of service shall be paid in full to him by the employer on the day when such contract is so determined as aforesaid.

(4) In computing the amount of wages due to a labourer for any period of service, the labourer shall be debited with the amount of all advances of money made to him by his employer and with the value of all food, clothes, or other articles supplied to him, which the employer is not liable in law to supply at his own expense.

(5) The wages of a labourer shall not be deemed to have been duly paid as required by this Section unless—

(a) The full amount thereof, subject only to the deductions allowed by Sub-section (4), has been paid directly to the labourer himself; or

(b) At least one-half of such full amount, after such deductions as aforesaid, has been paid directly to the labourer himself, and the balance has been paid to some person expressly authorised by the labourer to receive the same on his behalf or on his account, and the receipt of such person for such payment has been delivered to the labourer.

(6) Where, owing to the absence of any labourer or to any other unavoidable cause, it has not been possible to pay him his wages within the time limited by this Section, the employer may retain the sum due to such labourer and shall thereafter pay it to him at the earliest possible opportunity.

(7) Any employer who fails to pay the wages of any labourers in his employment within the period limited by Sub-section (1) shall be guilty of an offence, and shall be liable on conviction to a fine which may extend to fifty rupees on a first conviction, and to two hundred rupees on a second or sub-



sequent conviction. If any fine imposed by this Section is not paid within twenty-one days of the date when the same is imposed, the Government Agent may recover the amount thereof in the manner provided by §23 of "The Medical Wants Ordinance, 1880."

## 2. CYPRUS.

**Law to prohibit the manufacture, sale and importation of matches made with white phosphorus and for other purposes in connection therewith.** 11th June, 1910. (No. VI.)

1. This Law may be cited as the White Phosphorus Matches Prohibition Law, 1910.

2. For the purposes of this Law the expression "White Phosphorus" means the substance usually known as White or Yellow Phosphorus.

3. (1) It shall not be lawful for any person to use white phosphorus in the manufacture of matches.

(2) The occupier of any factory in which the manufacture of matches is carried on shall allow any commissioned or non-commissioned officer of police at any time to take for analysis sufficient samples of any material in use or mixed for use.

Provided that the occupier may, at any time when the sample is taken, and on providing the necessary appliances, require such officer of police to divide the sample so taken into two parts, and to mark, seal, and deliver to him one part.

4. It shall not be lawful for any person to sell or to offer or expose for sale, or to have in his possession for the purposes of sale, any matches made with white phosphorus.

5. It shall not be lawful to introduce or attempt to introduce in Cyprus matches made with white phosphorus.

6. Any person contravening the provisions of this Law or interfering with or obstructing any peace officer in the execution of his duty under the provisions of this Law shall be guilty of an offence under this law, and shall, upon conviction before a court of magisterial jurisdiction, be liable to a fine not exceeding ten pounds, and all white phosphorus or matches made with white phosphorus found in the possession of or under the control of such person may be seized by any peace officer, and may be forfeited and destroyed by an order of any such Court.

## 3. HONG KONG.

1. An Ordinance to make provision for the due observance of General, Public and Bank Holidays, and to amend and consolidate the law relating to the same (No. 5 of 1912.) 8th March, 1912.

2. An Ordinance to amend and consolidate the law relating to "Chinese passenger ships" as defined by the Chinese Passengers Act, 1855, and concerning Asiatic emigrants generally. (No. 30 of 1915.) 3rd December, 1915.)

## 4. INDIA.

### (A) EMPIRE.

1. An Act to amend the Indian Emigration Act, 1908.\* (No. XIV. of 1910.) 22nd July, 1910.

\* Title E.B. IV., p. 14.

2. **An Act further to amend the Assam Labour and Emigration Act, 1901.** (No. VIII. of 1915.) 25th March, 1915.

(B) PROVINCES.

I. BURMA.

1. **A Regulation to provide for the control of the petroleum-mining industry in Upper Burma.** (No. VI. of 1910.) 28th October, 1910.
2. **The Burma Factory Rules, 1912.** 22nd June, 1912. (The Burma Factories Manual, Rangoon, 1912, p. 32.)

[EXTRACT.]

[Definitions : §§1-2.—Register of Factories, §3.—Directions for compiling register of factories, §4.—Notice when factory ceases to be occupied, §5.]

*Inspection.*

6. The inspector shall be primarily responsible for the administration of the Act within the area for which he is appointed. He shall inspect every factory other than a seasonal factory, within that area at least once yearly and every seasonal factory within that area at least once during each season of work. He shall also make such further inspections as may appear to be necessary to him, or to the Secretary to Government in order that he may satisfy himself that the provisions of the Act and of these rules are duly observed.

7. The inspector shall at each inspection of a factory satisfy himself that the provisions made in the Act and rules to secure the health and safety of the operatives are observed, that the children employed in the factory have been duly certified, and the register of children (Form F) properly maintained : that the hours of employment of women and children and of persons working in shifts are properly recorded : that the periodical stoppages of work and the holidays provided by the Act are granted and that the limits of hours of work laid down therein are not exceeded : and that the abstract and notice prescribed by Section 36 are duly maintained and affixed. He shall further inquire into the cause of all accidents which have taken place since the last inspection. Finally he shall note how far defects pointed out at previous inspections have been removed and how far orders previously issued have been complied with. Any defects which have come to light at the present inspection as well as any orders passed by him under the Act shall then be recorded. An extract from such record containing the orders of the inspector and such remarks on defects found to exist as the inspector may wish to bring to the Manager's notice shall be sent to the Manager, and a copy of the said extract shall be sent to the District Magistrate.

*Proviso.* When in any area the inspection has been carried out by a District Magistrate or an additional inspector duly authorised in this behalf, such officers shall send a copy of the orders and remarks referred to above to the inspector appointed under §4, Sub-section (I.).

8. The inspector shall keep a file of the records of his inspections arranged in monthly bundles and shall submit to the Secretary to Government, on the tenth day of each month, a diary in Form B attached to these rules, showing the work done in the preceding month. A copy of the said diary shall be retained by the Inspector.

[Duties of certifying Surgeon or person authorised to exercise his functions, §§9-10.—Grant of provisional certificates under §8, §§11, 12.—Grant of duplicate certificates, §§12-13.—Sanitary provisions, §§14-17.—Standards of space, §18.—Standard of ventilation, §19.—Latrine accommodation, §20.—Drinking water, §21.—Fencing, §§22-24.—Notice of accidents, §§25-26].

*Register of Children and Muster Roll.*

27. In every factory where children are employed, there shall be correctly kept up-to-date and written afresh from 1st January in each year a Register of Children in Form F attached to these rules.

28. In every factory the muster roll shall, in the case of every woman and child, show the time of beginning and ending of each period of employment during the day, and opposite the name of each child shall be recorded his number in the Register of Children.

29. In every factory where a child when at work wears, instead of his certificate, a token giving reference to the same, such token shall have the number of the child in the Register of Children stamped upon it. This token shall be attached round the neck of the child.



[*Abstract of Act and rules, §30.—Procedure in appeals, §31.—Manner of service of notices, §32.—Forms*].

## 2. UNITED PROVINCES OF AGRA AND OUDH.

**Rules under the Indian Factories Act. 27th June, 1912.**

### 5. STRAITS SETTLEMENTS.

1. An Ordinance to amend "The Holidays Ordinance, 1879." (No. XXXI.) 15th December, 1910.
2. An Ordinance to consolidate and amend the Law with respect to Merchant Shipping. (No. XXXII.) 23rd December, 1910.
3. An Ordinance to provide for the due protection of the health of labourers employed upon agricultural estates. (No. VII.) 6th May, 1911.
4. An Ordinance to provide for the prohibition of the employment of classes of labour on agricultural estates or other places of employment for which sufficient supervision has not been provided. (No. XXI.) 30th November, 1911.
5. An Ordinance to amend The State Labourers (Protection of Health) Ordinance, 1911.\* (No. VII. of 1911.) (No. XVIII.) 23rd December, 1913.
6. An Ordinance to amend the law relating to contracts for labour. (No. XVI.) 4th April, 1914.
7. An Ordinance to provide for the registration of domestic servants. (No. XVII.) 4th April, 1914.

### 6. FEDERATED MALAY STATES.

1. An Enactment to amend the Netherlands Indian Labourers' Protection Enactments, 1909.† (No. 23.) 4th November, 1910.
2. An Enactment to make provision for matters relating to labour. (No. 6.) 21st September, 1912.

#### [EXTRACT.]

PART I.—Preliminary. Chap. I.: Short Title and Repeal (1-3).—Chap. II.: Interpretation (4-7).

PART II.—Provisions relating to immigration.—Chap. III.: Arrival, examination, and detention of immigrants (8-14).—Chap. IV.: Special provisions relating to Chinese immigrants (15-38).—Chap. V.: Special provisions relating to Indian immigrants (39-67).

§40. A "day's work" defined as work for a day of nine hours, or an equivalent task.—§50. Employer responsible for medical expenses, etc.—§63. Contracts to be executed before certain authorities.—§64. Terms of contract: employer to post up each week particulars of the number of days' task work performed by each labourer.—§65. Chief Secretary may fix, by Notification, the minimum rates to be paid and the scale of rations to be issued to immigrants: minimum rates prescribed until a notification increasing them is issued: adult males, five annas a day, plus certain rations; adult females or boys between 15 and 18, 3 annas a day, plus certain rations: children between 12 and 15 to have not less than three-fourths of the rate for adult females, plus full rations; children under 12 to have not less than half the

\* Title E.B. XI., p. 221, No. 3.

† The Acts referred to are those of the following States: Perak (Nr. 19, 1909), Selangor (No. 17), Negri Sembilan (No. 19), Pahang (No. 26), which are known jointly as "The Netherlands Indian Labourers' Protection Enactment, 1909."

minimum rate for adult females, and three-quarter rations ; children under 10 to have one-third rations prescribed for adults ; employer may deduct cost of rations from the immigrant for any number of children in excess of three : §66. Registration of immigrants.—§67. Inspection.]

PART III.—General provisions relating to labour.—Chapter VI. Agreements (68–73).—Chap. VII. Contracts (74–95).

[§87. Contract labourers may absent themselves, without any deduction from wages, on two days a month, and also on customary holidays ; but not more than five days a month altogether.]

96. Except where otherwise expressly provided, no male person under the age of 16 years, and no female person under the age of 15 years, shall be deemed to be competent to enter into an agreement or contract under this enactment.

99. Subject to any provisions to the contrary contained in his contract, if any :

(i) No labourer shall be bound to work on more than six days in one week, or more than six consecutive hours, or (subject as hereinafter mentioned) more than nine hours a day of actual labour.

(ii.) If any labourer works for and at the request of his employer more than nine hours in any one day, he shall be paid for such extra work at the rate of not less than one-eighteenth part of his ordinary daily wages for each half-hour of overtime work.

(iii.) It shall at all times be lawful for the employer to require from a labourer over and above the work which he is bound to perform as aforesaid, any reasonable and customary labour for—

(a) the care of animals.

(b) the cleaning of machinery.

(c) the maintenance of machinery in an efficient condition.

(d) the observance of sanitary regulations.

(iv.) Any labourer who is employed exclusively in factory work may be lawfully required by the employer, in case of need, to work for any time not exceeding three hours in any one day over and above the nine hours hereinbefore mentioned, and shall be entitled to receive for such extra work pay at the rate of not less than one-eighteenth part of his ordinary daily wages for each half-hour of overtime work.

100. (i.) It shall be lawful for the employer to assign tasks to be performed by labourers as equivalent to work for a day of nine hours. Such assignment of tasks shall be subject to revision by the Controller, who may fix the number of days' work to be credited to the labourers who have performed such tasks. A schedule of such tasks, as revised by the Controller, shall be written in English and some other language understood by such labourers, and signed by the Controller, and copies thereof shall be kept fixed up in conspicuous places in or about the place of employment and in the lines, so that the same may be made known to such labourers.

(ii.) After performing his task for the day the labourer shall be at liberty, if he pleases, to commence and carry on a fresh task.

(iii.) The employer may, whenever he thinks fit, direct the labourer to perform a task instead of working by the day, and the performance of such task shall, for the purposes of this enactment or any contract thereunder, be equivalent to working for a day, but so that no labourer shall be compelled to work for more than nine hours in any one day.



(iv.) Nothing in this enactment contained shall prevent any employer from agreeing with any labourer in his employ that the wages of such labourer shall be paid at an agreed rate, in accordance with the amount of work done, and not by the day.

[108. Inspection of contracts, registers, etc.—112. Register of labourers.]

PART IV.—Provisions relating to special classes of labour.—Chap. IX. : Labour Working Board and Schedule of Labour Laws for Chinese labourers (123-127).—Chap. X. : Domestic servants (128-129).

PART V.—Provisions relating to priority of wages and the truck system.—Chap. XI. : Priority of labourers' wages (130-137).—Chap. XII. : Truck system (138-148).

[138. Agreements to pay wages otherwise than in legal tender illegal.—139. Agreements as to place, manner, etc., of spending wages illegal.—140. Wages to be paid entirely in legal tender.—141. Labourers' right to recover.—§142. Interest on advances forbidden.—143. Deductions or payments in respect of fines, injury to materials, etc., prohibited in general.—144. Bodies of persons working on agreements of co-operation exempt from provisions of this Chapter.—145. Employer may contract to give food, dwelling place, or other allowances, in addition to money wages ; but no opium or intoxicating liquor may be given.—146. Employer may establish a shop if the place of employment is more than two miles from any town or village, and sell provisions to the labourers at a tariff of prices approved by the Controller and openly exhibited in the shop, etc. ; but no labourer may be compelled to use the shop, and no opium or intoxicating liquor may be sold.]

PART VI.—Provisions relating to assisted immigration.—Chap. XIII. The Indian Immigration Fund (149-166).

PART VII.—Special provisions relating to labourers employed in mines.—Chap. XIV. : Interpretation and provisions for the observance of mining usage (167-179).

168. For the purposes of this Part, unless the context otherwise requires :

“Employer” includes a mining advancer, commonly called Kiu-chu.

“Labourer” includes mining mandors, overseers, and headmen, commonly called Nai-cheng-thau, Hop-thung-thau, or Hang-kong, respectively.

“Tribute labourers” means labourers who work in any mine without any fixed remuneration, but with the right to retain for themselves the value of all minerals won from the mine, subject to the obligation to pay to the mine-owner or his lessee a fixed percentage of such value, and who agree with any person to receive from him exclusively advances of food and supplies, and pledge the value of all minerals won as security therefor.

“A day's work,” commonly called a “kung,” means work for a day of as many hours, not exceeding nine, as is customary for any labourer to work in a mine.

169. (i.) Any person who employs labourers in a mine either as labourers on Hun wages (which term shall include Kongsí Kung and Tai-Ki-Tsai labourers) or as piece-work labourers (Nai-Cheng labourers) or as tribute labourers, may define the conditions upon which such labourers are engaged, by affixing in a conspicuous place in such mine a notice in the Chinese language setting out the conditions upon which he engages such labourers, and, in the absence of any special agreement to the contrary, the terms of such notice shall be deemed

to be binding as a contract under this enactment as between such employer and such labourers as may enter such employment whilst such notice shall continue to be so affixed.

Provided always that—

(a) Such notice shall clearly set out the name of the employer responsible to the labourers for their wages and other emoluments due to them, or, in the case of tribute labourers, for the advancing to them of all necessary goods and moneys ;

(b) Such notice shall contain no illegal or immoral conditions ;

(c) No labourer taking service under such notice shall be compelled to continue working under its conditions for a longer period than six, or, in the case of tribute labourers, twelve months, notwithstanding any debt that he may owe to any person ;

(d) All the terms and conditions of every such notice shall be approved by the Controller, who shall retain a copy signed by the employer, stating the date from which the notice is to be in force ;

And further, in the case of tribute labourers, that—

(e) It shall also clearly set out the term during which the labourer may be required to labour ;

(f) If at any time the employer shall fail to make due and sufficient advances to the labourers of the necessary goods and moneys, none of the conditions of the notice shall be enforceable by the employer against the labourers, and such labourers shall be at liberty to seek another advancer.

(ii.) Any employer who shall contravene any of the provisions of this Section shall be liable, on conviction, to a fine not exceeding five hundred dollars.

170. All wages earned by a labourer under such an engagement shall become due and payable on a date previously arranged between the parties thereto in accordance with the mining usage of the place in which such labourer is working : provided that in no case shall such date be more than six months later than the date of the commencement of such engagement, and provided further that, in the event of the employer ceasing to provide a proper and sufficient supply of money and necessaries for the use of the labourer, as required by the terms of his engagement, all moneys due from him to such labourer shall immediately become payable.

177. Labourers on time or fixed wages, employed in a mine worked by tribute labourers, shall, in the absence of proof to the contrary, be regarded as being employed by the advancer and not by such tribute labourers.

Chap. XV. : Sanitation and hospitals upon mines (180-186).

[180. House accommodation.—182. Water supply.]

PART VIII.—Provisions relating to the health of assistants and labourers.—Chap. XVI. : Interpretation and house accommodation (187-194).—Chap. XVII. : Water supply (195-198).—Chap. XVIII. : Sanitary arrangements (199-201).—Chap. XIX. : Hospital accommodation, equipment, and medical attendance (202-207).—Chap. XX. : Infectious and contagious diseases (208-209).—Chap. XXI. : General (210-217).

PART IX.—Provisions relating to places unfit for the employment of labour.—Chap. XXII. : Enabling powers (218-222).

[218. Inspection of place of employment before employment of labourers or additional labourers.—219. Prohibition of further engagement of labourers where arrangements are inadequate.—220. Penalty for causing or permitting labourers to reside in unhealthy locality.]

PART X.—Special offences.—Chap. XXIII. : Offences against labourers (223–228).—Chap. XXIV. : Offences by labourers (229–238).—Chap. XXV. General (239–240).

PART XI.—Provisions relating to procedure, actions, and rules. —Chap. XXVI. : Procedure (241–256).—Chap. XXVII. : Limitation of liability of persons exercising powers (257).—Chap. XXVIII. : Rules (258).—Schedules.

## V. Hungary

*Gesetzartikel XVI. vom Jahre 1916 über die behördliche Besorgung der Arbeitsvermittlung für Gewerbe, Bergbau und Handel. Sanktioniert am 19 März 1916. (Soziale Rundschau, 1916, II., 55).*

**Act No. XVI. of 1916 respecting official employment bureaux for industry, mining and commerce.** (Sanctioned on 19th March, 1916.)

1. In order to bring the demand for and supply of labour into adjustment in all branches of industrial work, as well as in mining and commerce, the towns and communes designated for this purpose shall be bound to provide official employment bureaux.

Towns may also be required to provide employment bureaux with a sphere of operations extending beyond their own territory.

2. Towns which provide employment bureaux with a sphere of operations extending beyond their own official territory, may, for this purpose, be granted an annual subvention by the Minister of Commerce to be included in the State estimates, and in Croatia and Slavonia by the Ban, to be included in the autonomous budgets of those provinces.

In calculating the cash subvention, the rateable value of the town, the size of the territory over which it has jurisdiction for the purposes of the employment bureau, and the number of persons resident within this territory employed in industry, mining and commerce, shall be the determining factors.

3. The official employment bureaux must be entirely free both to employers and to workers.

4. It shall be the duty of the Minister of Commerce in agreement with the Minister of the Interior, or in Croatia and Slavonia of the Ban, to determine the towns and communes where it shall be compulsory for official employment bureaux to be provided, and also to define their sphere of operations and to regulate the organisation and management of newly established or already existing town or communal employment bureaux.

5. This Act shall come into force three months after its notification. The Minister of Commerce and the Minister of the Interior, or in Croatia and Slavonia, the Ban, are charged with the enforcement of this Act.

## VI. Netherlands

*Wet van den 16den October 1914, houdende bepalingen in het belang van de personen, werkzaam bij het laden en lossen van zeeschepen. (Staatsblad No. 486.)*

**Act containing provisions respecting persons employed in loading and unloading sea-going ships.** (Dated 16th October, 1914.)



1. (1) For the purposes of this Act the following definitions shall apply :—

“ Our Minister ” : Our Minister entrusted with the enforcement of this Act.

“ Sea-going ship ” : Every vessel that navigates the sea, except warships and fishing-boats.

“ Crew of a sea-going ship ” : Every person engaged as a ship's officer or sailor as shown by the muster-roll or, in the absence of a muster-roll, by some other document on board ship.

“ Stevedore's work ” : (stuwadoorsarbeid) : All operations in :

bringing goods into a sea-going ship ; the preparation, in direct connection therewith, of the goods to be brought into the ship, carried out on the quay, in warehouses or storeplaces there or in a vessel from which they are brought direct into the sea-going ship ; the storing or preparation of goods in the sea-going ship ;

taking goods out of a sea-going ship ; the piling up, in direct connection therewith, of goods taken out of the ship, on the quay, in warehouses and storeplaces there, or the stowing or preparation of these goods in a vessel into which they are brought direct from the sea-going ship ;

in both cases, including the working of apparatus or tools serving the aforesaid operations.

“ Stevedore's undertaking ” : Any undertaking in which stevedore's work is carried on, even though it is not permanent.

“ Dock labourer ” (havenarbeider) : Any person who performs stevedore's work and does not belong to the crew of the sea-going ship.

(2) For the purposes of this Act, “ goods ” shall include the fuel required for propelling the sea-going ship and the ballast, but, on the other hand, it shall not include whatever forms part of the equipment of the ship, the luggage of travellers and of the ship's crew, nor their provisions, in either case in so far as they are dealt with without the aid of power apparatus.

2. The master of a sea-going ship, or the person representing the master, shall be bound to see that for the purposes of the loading or unloading of the ship no stevedore's work is done by any persons other than :

(a) the crew of the ship ;

(b) the employees of a stevedore's undertaking registered in accordance with §3.

3. (1) A stevedore's undertaking must satisfy the following requirements :

(a) at least one head or manager of the undertaking must be domiciled in the kingdom ;

(b) the heads or managers must not be engaged in any other undertaking, except as heads or managers (in special cases, Our Minister may allow exemptions from this rule in the case of a particular undertaking) ;

(c) they must, in addition, be inscribed in a register kept for the purpose.

Registration shall not be refused if the undertaking satisfies the requirements under (a) and (b).

(2) Where a registered stevedore's undertaking ceases to satisfy the requirements of the first Sub-section, (a) or (b), or ceases to exist, it shall be removed from the register. No undertaking shall be held to be thus removed for so long as appeal may be made against the said measure, nor for so long as an appeal lodged has not been decided upon, or a decision that the undertaking shall be thus removed has not come into operation.

(3) The representatives of an undertaking may appeal to the judge of the canton within which the undertaking is situated or has its office against a refusal to register a stevedore's undertaking or its removal from the register otherwise than on request.

(4) This appeal shall be lodged in the form of a simple written application, accompanied by documents in support, within six days after the date of the notice announcing the refusal or the removal from the register.

(5) The cantonal judge shall decide after inquiry and after the parties or their representatives have been given the opportunity of being heard. The decision shall be issued within six days of the date of the application. If the decision orders the registration or revokes the removal from the register, it shall be immediately carried out by the official concerned, regardless of the possibility of higher appeal (cassatie).

(6) Within thirty days after the decision of the cantonal judge is issued, either party may appeal against the same to the High Court. If the High Court finds grounds for reversing the decision of the cantonal judge, the Court shall decide the matter at issue at the same time, as should have been done by the cantonal judge who issued the reversed decision. If the decision of the matter depends upon facts or points of law which were not settled in the earlier hearing, the High Court shall refer the case to the cantonal judge, in order that he may deal with and decide on the matter, taking into consideration the High Court's decision.

4. The heads or managers of an undertaking shall be bound to see that, in their undertaking, no stevedore's work is done by male persons under 18 years of age or by female persons.

5. The heads or managers of a stevedore's undertaking shall be bound to see :

(a) that in the place where work is done in their undertaking there is for every dock labourer taking part in the work a valid labour card drawn up in his name, in a form prescribed by Our Minister ;

(b) that on leaving the workplace the card is given to the dock labourer in whose name it stands, unless it is already in his possession.

6. If the chief official for the district, contemplated in §17, is convinced that rules respecting periods of work and rest contained in the general administrative regulations contemplated in §9 are being contravened in a stevedore's undertaking, Our Minister, after inquiry and after the heads or managers of the said undertaking have been given the opportunity of being heard, may order that they shall be bound to observe in their undertaking rules issued by him, drawn up in the form of general administrative regulations with the purpose of ensuring the due observance of such rules.

7. A person who has a labour card in his keeping must immediately on demand produce the card for the inspection of the officials contemplated in §17. The general administrative regulations contemplated at the end of the preceding Section may contain a similar requirement as regards the documents prescribed under the said general regulations.

8. (1) On receipt of the sum due in respect thereof, a labour card shall be issued to or for every male person of 18 years or more, by or on behalf of whom application for the same is made in accordance with the rules laid down by general administrative regulations.

(2) The sum payable for a labour card, which shall not exceed 50 cents, shall be fixed by general administrative regulations. In the case of a new copy of a card which is still valid, one-half of the sum fixed by the general administrative regulations shall be deducted. If it appears that a person has ceased

to have at his disposal a valid labour card issued in his name, a new copy shall be issued to him or on his behalf, provided that the rules laid down in general administrative regulations for such applications are observed.

(3) The labour cards shall be issued by the official designated for the purpose by Our Minister.

(4) They shall be valid for the term named on them, which shall not exceed one year, and within the district stated on them as contemplated in §17.

9. (1) The heads or managers of a stevedore's undertaking shall be bound to see that in their undertaking no work is done by dock labourers contrary to the provisions laid down in general administrative regulations as regards their hours of work and rest.

(2) In the regulation of the hours of work and rest in these said general administrative regulations the following principles shall be taken into consideration :

(a) that dock labourers shall not work more than 10 hours in the 24, unless permission to work overtime is given in extraordinary circumstances, such permission to be granted for each separate case and, moreover, specifying particular groups in connection with particular operations ;

(b) that dock labourers belonging to the specified group, as contemplated under (a), shall not work longer than 24 successive hours, including breaks for rest of six hours or less ;

(c) that in the period from 6 a.m. on Monday to midnight between Saturday and Sunday, dock labourers shall in no circumstances work longer than 60 hours, unless permission to work overtime is given in extraordinary circumstances, such permission to be granted for each separate case.

(3) Within five years after the date of the coming into force of this Act, a Bill to revise this Section shall be laid before the States General.

10. (1) The master of a sea-going ship, or the person representing the master, shall see that on Sunday—which for the purposes of this Act shall be understood to mean the period from midnight between Saturday and Sunday until 6 o'clock on Monday morning—no stevedore's work in connection with the loading or unloading of a ship shall be done by persons belonging to the crew of the same, unless special permission is granted for this purpose, and also that the conditions attached to the permission are observed. Subject to the same reservation, the heads or managers of an undertaking shall be bound to see that no stevedore's work is done in their undertaking on Sunday.

(2) The permission contemplated in the first Sub-section may be granted by Our Minister for a specified term, not exceeding one year, for all or certain operations on specially named sea-going ships or for specified operations on sea-going ships making use of a particular arrangement in order to carry out the operations in question. Otherwise permission shall be granted only for each particular case by the chief official for the district, contemplated in §17, or by another official designated by Our Minister, when in their opinion a pressing reason of an extraordinary kind makes Sunday work necessary.

(3) The permission shall be granted to the master of the sea-going ship as regards the work of the crew and to the stevedore's undertaking, by which the work is to be done, as regards that of dock labourers working for the undertaking.

II. After a conviction, by a judicial sentence which has become final, of failure to observe the provisions of the first Sub-section of §10, Our Minister may provide that the convicted person or the undertaking in which the con-



victed person is employed shall, for a specified term not exceeding one year, not be granted any permission as contemplated in that Section, and in the case of a permanent permit the same may be revoked by Our Minister.

12. The heads or managers of an undertaking shall be bound to see that as regards access to the sea-going ships in which stevedore's work is done by dock labourers in their undertaking, and as regards the means of conveyance by which dock labourers in their undertaking are taken across the water to or from a sea-going ship, the rules on these matters contained in general administrative regulations are observed, as well as the more detailed requirements issued by virtue of the said general administrative regulations for the enforcement of the same in a particular case, by the chief official for the district contemplated in §17 or another official designated by Our Minister.

(2) Likewise they shall be bound to see that in their undertaking dock labourers do no stevedore's work where the rules contained in the general administrative regulations are not observed :

(a) for the prevention of accidents during work and the provision of assistance in the case of accidents that have taken place ;

(b) for the prevention of injury to health caused by the work ;

(c) as regards the provision of drinking water and sanitary accommodation ;

(d) as regards cleanliness ;

as well as the more detailed requirements issued in virtue of the said general administrative regulations for the enforcement of the rules named under (a)—(d), by the chief official for the district contemplated in §17 or another official designated by Our Minister. In issuing a more detailed requirement consideration shall be given to the equipment of the sea-going ship on which the stevedore's work is done.

(3) In issuing a more detailed requirement as contemplated in the first or second Sub-section of this Section, a time limit shall be fixed within which it must be carried out. The requirement shall be issued in writing and dated, and the rule of the general administrative regulations which it is its object to enforce shall be stated.

(4) Every head or manager of an undertaking to which a more detailed requirement is issued may appeal against the same within 24 hours after it was received, to a person designated by Our Minister, resident in the commune to which the harbour belongs, who shall decide on the appeal as promptly as possible. This appeal shall have the effect of suspending the obligation to carry out the requirement.

(5) The head or manager of the undertaking or the official may appeal to Our Minister against the decision of the person named in the fourth Sub-section, within eight days of the issue of the same. The decision against which appeal is still open shall be carried out, notwithstanding that the time limit for appealing has not expired or an appeal lodged has not yet been decided.

(6) Where a requirement is amended by an award issued on appeal, the amended requirement shall take the place of that against which the appeal was made.

13. (1) Where the wages of dock labourers are determined wholly or in part in accordance with the actual amount loaded into a sea-going ship, the head or manager of an undertaking in which the dock labourers perform stevedore's work must furnish to the chief official for the district, contemplated in §17, or another official designated by Our Minister, on his request, an exact written statement of the said amount in so far as the wage is wholly or in part

dependent upon it. This statement must be presented within 48 hours after the request was made, or as much later as may be permitted by the official.

(2) The official may institute an inquiry or cause an inquiry to be made into the correctness of the statement obtained. On his demand, the head or manager of the undertaking in which the stevedore's work was done and all the persons occupied in the undertaking, as well as the master of a vessel into which goods are brought from a sea-going ship, and the persons belonging to the crew of the vessel, and all other persons concerned with the goods brought out of or into the sea-going ship, must do or allow to be done whatever is required of them and may be held to be reasonably necessary for the purposes of the inquiry.

(3) Where the wages of dock labourers are determined wholly or in part in accordance with the amount loaded into a sea-going ship as stated in any document, the heads or managers of an undertaking in which the dock labourers perform stevedores' work, shall be bound to submit the document, on his request, to the chief official of the district or another official designated by Our Minister. This must be done within 48 hours after the request is made or as much later as may be permitted by the official.

(4) The official to whom a document contemplated in the third Sub-section has to be submitted, shall be bound to give it back to the heads or managers of the undertaking as promptly as possible, and at most within 24 hours after its receipt.

14. The heads or managers of a stevedore's undertaking shall be bound to see :

(a) that in their undertaking the wages of dock labourers shall only be paid out in pursuance of a judicial order to third persons who sell strong drink retail or as regards whom it may reasonably be assumed that they act as middlemen for such persons ;

(b) that in their undertaking the regulations are observed which are drawn up by Our Minister in order to prevent the wages of dock labourers being paid in places from the position of which it might result that the wages are not received by the dock labourers personally. These regulations may be applicable to all or some communes and may be different for different communes.

15. The same duties as are imposed upon the heads or managers of an undertaking in pursuance of §§4, 5, 6, 9 (1), 10 (1), second sentence, 12 (1) and (2), 13 (1) and (3), 14, and 21 (2) and (3), shall rest upon the superintending staff in so far as the duty of seeing that the regulations are observed has been laid upon them by the said heads or managers.

16. The heads or managers of an undertaking and the superintending staff shall be held to have carried out the duties laid upon them if they prove that they gave the necessary orders, took the necessary measures and exercised such supervision as could reasonably be required, in order to ensure the observance of the regulations for the observance of which they were bound to provide.

17. (1) Officials shall be selected by Us to enforce this Act and co-operate in its administration. They shall act under the orders of Our Minister and shall be appointed, suspended and discharged by Us.

(2) Their sphere of work and powers shall be regulated by general administrative regulations. These regulations shall provide that and in what manner a chief of the service shall be appointed and officials designated who shall act as chief officials of districts. The extent of the districts shall be fixed by Us.

(3) The instructions for the officials named in the first Sub-section shall be drawn up by Us.

(4) A report on the work of the officials contemplated in the first Sub-section shall be presented annually to the States General. The report may be included in the report contemplated in §17 of the Labour Act, 1911 (Staatsblad No. 319).\*

(5) Where it appears necessary for the carrying out of their duties, the officials contemplated in the first Sub-section may be provided with other officials for office work and with servants. These persons shall be appointed, suspended and discharged by Us or by Our Minister under Our authority. Their instructions shall be drawn up by Our Minister.

(6) The officials contemplated in the first Sub-section shall not take part either directly or indirectly in stevedore's undertakings.

18. The heads or managers of a stevedore's undertaking and the persons employed in such undertaking, as well as the master of a sea-going ship and the persons belonging to the crew of such ship, shall be bound to give the officials contemplated in the first Sub-section of §17 the required information affecting the observance of the regulations contained in or issued in pursuance of this Act.

19. (1) For every district contemplated in §17, one or more Advisory Committees (Commissien van advies) for Dock Labour may be appointed by Us.

(2) A committee may be dissolved by Us if it appears in Our opinion that it is not needed or is no longer needed, or that it is no longer possible to secure a suitable composition for the committee.

(3) The committees shall advise the chiefs of the Department of General Administration, the authorities of provinces and communes and the official appointed as chief of the service in pursuance of §17, as well as the district chief officials contemplated in that Section or other officials appointed by Our Minister, on all subjects affecting dock labour. They may also on their own initiative give advice to the said persons or bodies.

(4) A committee shall consist of :

(a) a president and a vice-president ;

(b) an even number of other members and an equal number of substitute members.

(5) The number of members and substitute members contemplated under (b) in the preceding Sub-section shall be fixed by Us for each committee. The members, as well as their substitutes, shall be chosen half by the heads or managers of stevedore's undertakings having been registered under §3 for at least six months before the voters' lists were made up, and half by persons in whose names valid labour cards as contemplated in §5 have been issued for at least six months before the voters' lists were made up. The voters' lists shall be drawn up annually. The decision on disputes as regards entries on the voters' lists shall rest with the cantonal judge within whose jurisdiction the undertaking is domiciled or has its office or the holder of a labour card lives. The last Sub-section of §3 shall apply.

(6) The president and the vice-president of a committee shall be nominated by Us. The president shall be chosen from outside the classes of persons from amongst whom the other members are chosen under Sub-section (5).

(7) The members and their substitutes shall retire after three years and may stand immediately for re-nomination or re-election. A person

\* Text E.B. VII., p. 47, No. 12.



appointed as a member or substitute member of the committee in order to fill a vacancy occurring in the meantime shall retire at the time when the person in whose place he was appointed would have been obliged to retire.

(8) The chief official for the district and the other officials designated by Our Minister, as contemplated in §17, shall have the right to attend the meetings of the committee. Notwithstanding, the committee may, in special circumstances, resolve to meet without their being present.

(9) All other matters concerning the composition and functions of the committee shall be regulated by general administrative regulations, which may also contain rules concerning the committee's meetings and methods of work, and also the compensation to be granted to the persons serving on the committee.

(10) Contrary to the provisions of Sub-section (5) all members and substitute members of a committee set up within one year after the coming into force of this Act, shall be appointed for the first time by Us. and in so far as concerns the members and substitute members contemplated in Sub-section (4) (b), as far as possible after consultation with the associations of heads or managers of stevedores' undertakings and of dock labourers. The members and substitute members appointed in this way shall retire at the end of a term to be fixed by Us, not exceeding one year and six months.

20. (1) Contraventions of the provisions contained in or issued in pursuance of §§2, 4, 5, 6, 7, 9 (1), 10 (1), 12 (1) and (2), 13 (1), (2) and (3), 14, 18 and 27 shall be punished by detention (*hectenis*) for a term not exceeding one month or by a fine not exceeding 100 gulden.

(2) Contraventions of the provisions of §21 (2) and (3) shall be punished by detention for a term not exceeding three months or by a fine not exceeding 300 gulden.

(3) Contraventions of the provisions of §15 shall be punished by :

(a) Detention for a term not exceeding one month or a fine not exceeding 100 gulden, if the contravention does not consist in failure to see that the provisions of §21 (2) and (3) are observed ;

(b) Detention for a term not exceeding three months or a fine not exceeding 300 gulden where the contravention consists in failure to see that the provisions of §21 (2) and (3) are observed.

(4) A person who forges or falsifies a labour card or document that may only be issued under §6 in the name of a specified person by officials authorised for the purpose, with the object of enabling another to use the said card or document as if it were genuine and not falsified, shall be punished by imprisonment (*gevangenis*) for a term not exceeding three months.

(5) The following persons shall be punished by imprisonment for a term not exceeding one month or by a fine not exceeding 150 gulden :

(a) any person who deliberately makes use of a forged or falsified labour card or a forged or falsified document as contemplated in the preceding Sub-section, as if such card or document were genuine and not falsified ;

(b) any person who deliberately makes use of a labour card or a document contemplated in the preceding Sub-section that is clearly not intended for him, as if such card or document had been drawn up in respect of him.

(6) Where at the time when the Act was committed two years had not elapsed since an earlier conviction of the guilty party for contravention of any provision of this Act, became final, the judge may condemn him to a fine,

or a term of detention or imprisonment of twice the maximum fixed in this Section.

(7) Where one or more of the heads or managers of an undertaking or of their superintending staff are convicted for not having seen that the provisions contained in or issued in pursuance of §§4, 5, 6, 9 (1), 10 (1), second sentence, and 21 (2) and (3) were observed in their undertaking; and where the master of a sea-going ship or his representative is convicted for not having seen to the observance of §§2, 10 (1), first sentence, and 21 (2) and (3), a separate penalty shall be imposed in respect of each person as regards whom the contravention is committed, and for every day (24 hrs.) in the course of which the contravention is committed. Notwithstanding, in no case shall more than 16 months' detention be imposed by one judicial sentence, and regardless of the provisions of the first Sub-section of §10, Sunday shall for the purposes of this Section be regarded as one day (24 hrs.).

21. (1) The chief official for the district contemplated in §17, or any other official designated by our Minister, shall have power to give orders:

(i.) that stevedores' work shall be immediately stopped, wholly or in part, on Sunday if the work is being done without permission having been given for the purpose or without the conditions attached to the permission being observed;

(ii.) that stevedores' work shall be immediately stopped, wholly or in part:

(a) if the dock labourers engaged on it are not employed in a stevedores' undertaking registered in conformity with §3;

(b) when the said official is of opinion that direct danger to persons exists as a result of failure to observe one or more of the provisions of the general administrative regulations contemplated in §12 (2) or of a more detailed order issued in pursuance of the same Sub-section of §12.

(2) The master of a sea-going ship or his representative shall be bound to see that an order contemplated in the preceding Sub-section is immediately obeyed by persons belonging to the crew of the ship and—where the order is issued in pursuance of the provision contained under (ii.) (a) of the preceding Sub-section—by dock labourers. The heads or managers of an undertaking shall be bound to see that an order contemplated in the preceding Sub-section is immediately obeyed in their undertaking.

(3) The persons upon whom the duty contemplated in the preceding Sub-section rests shall be bound, in accordance with the distinction there made, to see that the work is not resumed until the order to cease work wholly or in part has been annulled on appeal, or until the official who gave the order has given written permission for work to be resumed. Notwithstanding, without such special permission work may be resumed on Monday morning at 6 o'clock or later, when the order to stop work was issued exclusively in view of the provisions contained under (i.) in the first Sub-section.

(4) The official who gave the order may appeal to force to secure the observance of the same.

(5) The order shall be given in writing and dated.

(6) Appeal may be made against an order to cease stevedores' work, wholly or in part, within two days from the day on which the order was issued, to a person designated by Our Minister, resident in the commune to which the harbour belongs.

(7) The appeal may be made verbally, by telegraph or by telephone, provided that in such case it is confirmed in writing within the time limit prescribed in the preceding Sub-section, if this has not been done already.

22. (1) The officials of the national and municipal police, the mounted police, the water bailiffs (waterschouten), and the officials contemplated in §17, are charged with the duty of detecting acts subject to penalties in accordance with §20.

(2) The officials designated by Us shall also be charged with the duty of detecting, in specified communes, the contraventions contemplated in §20.

23. (1) The officials contemplated in §22 shall have the right of entry to all places where work to which this Act applies is being done, or in respect of which it may reasonably be presumed that such work is being done there.

(2) The mounted police who are not assistant officers of justice, and the officials of the National and Municipal Police below the rank of inspector in the national country constabulary, and of commissioner of police shall, unless they have the right of entry on some other ground, need for this purpose a special written authority from the mayor or the cantonal judge. The officials of the mounted police and of the national and municipal police contemplated in the preceding sentence may, unless they have the right of entry on some other ground, be given a general written authority which, unless revoked in the meantime, shall be valid for a period of three months. This authority shall be given to officials of the mounted police and to officials of the national police by the cantonal judge, with the approval of the procurator-general, acting as director of police; and to the municipal police by the mayor with the approval of the Queen's Commissioner.

(3) Where admission is refused to the officials contemplated in §22, they shall if necessary appeal to force in order to gain admission.

(4) In places contemplated by the first Sub-section which are at the same time dwellings or which can only be entered through a dwelling, they shall not enter against the will of the occupier, except on production of a special written authority of the mayor or the cantonal judge. The official shall draw up a report of the entry, a copy of which shall be presented within 48 hours to the person whose house was entered.

24. (1) The officials contemplated in §22 shall be bound to observe secrecy as regards whatever may become known to them in places where work to which this Act applies is carried on, or which they have entered in connection with the administration of this Act, concerning the business carried on there, unless such secrecy is incompatible with the provisions of this or any other Act. Except to the persons to whose orders they are subject by virtue of their office, they shall be bound to keep secret the names of persons who are charged with a contravention of the provisions contained in or issued in pursuance of this Act, except when these persons have expressly declared that they have no objection to the communication of their names.

(2) Any person who deliberately commits a breach of the secrecy imposed by the preceding Sub-section shall be punished by imprisonment for a term not exceeding six months or by a fine not exceeding 600 gulden, with or without the withdrawal of the right to hold office.

(3) Any person to whose fault a breach of secrecy is due shall be punished by detention for a term not exceeding three months or by a fine not exceeding 300 gulden.

(4) No prosecution shall take place otherwise than on the complaint :



(a) Of the head or manager of the undertaking, in the case of a contravention of the provisions of the first sentence of the first Sub-section ;

(b) Of the person whose name has been communicated, in the case of a contravention of the provisions of the second sentence of the first Sub-section.

25. The acts made punishable under this Act shall be regarded as contraventions (overtredingen), except the acts made punishable under §20 (2) and (3) (b) ; §20 (4) and (5) ; and §24 (2) and (3), which shall be regarded as misdemeanours (misdrijven).

26. For the purposes of the application of §§11 and 20, a judicial sentence given by default, by which a fine is imposed, shall be held to become final when the fine is paid.

27. (1) Where members of a co-operative society perform stevedore's work in carrying out their objects, the managers of the undertaking shall notify to the Mayor of the Commune where the work is carried out, and also to the chief official for the district contemplated in §17, the name and address of one of the members whom they wish to be regarded as the head or manager.

(2) If this duty is not complied with, the Mayor shall designate one of the members as head or manager.

28. This Act shall not apply :

(a) To work performed in a stevedore's undertaking by the heads or managers ;

(b) To work in unloading sea-going ships which are stranded or in distress ;

(c) To work consisting in the preparation or stowing of goods in an inland vessel from which or into which they are brought into or from a sea-going ship, in so far as such work is performed by persons belonging to the crew of the inland vessel, provided that not more than three of them take part in it at the same time ;

(d) To work performed by persons in the service of a public body (publickrechtelijk lichaam).

(3) The provisions contained in or issued in pursuance of §§2, 4, 5, 6, 9 (1), 12, 13, 14, and 21 (1) (ii.) shall only apply where stevedore's work is done in connection with the loading or unloading of a sea-going ship by more than 3 persons at one time outside the crew.

29. Except as regards the provisions of §8 all documents, applications and orders drawn up as a result of the provisions contained in or issued in pursuance of this Act shall be free from the law relating to stamps and from the formality of registration, and they shall be issued without fee.

30. Whatever is necessary, beyond the provisions of §§6, 7, 8, 9, 12, 17 and 19, for bringing this Act into operation or administering the same, shall be regulated by general administrative regulations.

31. (1) General administrative regulations issued under this Act may provide :

(a) That all or some of the regulations shall not come into force until after the twentieth day after their issue ;

(b) That all or some of the regulations shall only apply to certain communes or parts of communes.

(2) General administrative regulations issued under this Act may impose different regulations upon different communes or parts of communes.

32. (1) This Act shall come into operation on a date to be fixed by Us.

(2) On this date the Act of 1st March, 1815 (Staatsblad No. 21), containing regulations concerning the celebration of days devoted to public Christian worship, shall cease to apply to stevedore's work on Sunday to which §10 applies.

33. This Act may be referred to as the "Stevedores Act."

## VII. Norway

*Lov om sykeforsikring.* Av. 6. August 1915.

**Act respecting sickness insurance.** (Dated 6th August, 1915.)

### CHAPTER I.—*Compulsory Insurance.*

1. (1) Insurance under this Act shall be compulsory for all wage-earners employed in the Kingdom as well as employees in public or private service, after they have completed their fifteenth year of age. The obligation to insure shall begin on entering into the employment or service, and shall cease on leaving the same.

(2) The following persons shall be exempt from the compulsory insurance:

(a) Persons whose total annual income exceeds 1,600 kr. in the country or 1,800 kr. in a town. In case of doubt as to whether these limits are exceeded or not, the decision shall be made on the basis of the last final assessment of taxes. In so far as the income of a husband or wife, or of a child, is included in the income of the person concerned, such income shall be deducted in the discretion of the local sick fund;

(b) persons who are regularly employed on a ship in foreign shipping, unless the voyages are limited to fixed routes and are not expected, in accordance with the published times of sailing, to last more than ten days out from a Norwegian port and back;

(c) persons for whom sickness benefits are ensured, in connection with their employment within the Kingdom, in pursuance of any foreign law;

(d) persons who perform work for communes under conditions which give the remuneration for the work the character of relief; the same shall apply as regards persons who, in similar circumstances, perform work for charitable institutions, if the State Insurance Institution so decrees;

(e) persons who are in the service of an ambassador of a foreign Power or of a consul sent out by any such Power.

(3) Persons whose conditions of work or service are such that, from the nature of the case, it cannot last as long as six days, shall likewise be exempt from compulsory insurance. In order that a person may come under the compulsory insurance, it shall not be necessary for his hours of work to be consecutive or to work for the whole day.

(4) At the request of the compulsorily insured person concerned, the fund may exempt from insurance a person whose earning capacity is seriously impaired as a result of chronic illness or other permanent defects or infirmities.

2. (1) "Wage-earners" under this Act shall mean workers whose wages consist wholly or partly in money.

(2) Servants and peasants (*husmænd*) who work for masters, shall be counted as wage-earners, even if they do not receive any money wages; and also persons who fish for a share in the catch, but without having a business of their own.

Notwithstanding, children living at home who work in the home without a money wage fixed in advance shall not be held to be servants.

(3) Persons whose training is incomplete shall likewise be held to be wage-earners and employees, even if they receive no wages, if the work is a part of their training, such as apprentices, voluntary workers and so forth.

3. A person for whom insurance is compulsory shall be held to continue to be employed in the Kingdom and consequently to be still subject to compulsory insurance, for a period of three months after going abroad, if he is temporarily employed by his employer in another country, or if, with the permission of the employer, he goes on a journey abroad for that period.

4. (1) The limit of income fixed in §1 (2) (a) for persons living in the country may be increased by the State Insurance Institution (§41), after consultation with the board of management of the local sick fund, in respect of a particular district or of a certain exactly defined part of the same, up to the limit applicable in towns.

(2) On the proposition of the State Insurance Institution or of the boards of management of the local sick funds concerned, the King may provide that whole classes of wage-earners or employees in certain districts or in the whole Kingdom shall be subject to compulsory insurance regardless of the fact that the income of any individual may exceed the limit of income fixed in §1 (2) (a).

(3) On the proposition of the State Insurance Institution or of the boards of management of the local sick funds concerned, the King may provide that the exemption from the compulsory insurance contemplated in §1 (3) shall be withdrawn in the case of particular kinds of work in certain districts or in the whole Kingdom.

5. Every person for whom insurance is compulsory shall be held—regardless of any possible delay in giving the prescribed notice (§9)—to be a member of the proper local sick fund from the day when the obligation to insure begins, unless he has already fulfilled his obligation to insure in some other manner (*cf.* §7).

6. (1) Where a person ceases to be subject to compulsory insurance he shall cease to be a member of the local sick fund at six o'clock in the morning on the Monday following the last week for which he was bound to pay compulsory contributions [*cf.* §31 (4)], unless he continues the insurance voluntarily.

(2) If at the time named above the member is ill or on military service, he shall continue to be a member without paying contributions for so long as sickness benefit (maternity benefit) is being paid or he is on military service (*cf.* §33a).

(3) If the compulsory insurance ceases on account of pregnancy in the course of the last 13 weeks before the confinement, the person concerned shall continue to be a member without paying contributions until the time in respect of which sickness benefit (maternity benefit) is payable, has expired.

(4) If a compulsory member of a local sick fund becomes unemployed by reason of circumstances for which he is not responsible, he may still remain a member of the fund without paying premiums, provided he has previously been a member of some local sick fund for at least half a year without interruption.

Sickness arising after the unemployment contemplated above has lasted more than 14 days shall, however, not entitle to any benefits other than medical benefit [§16 (1) A (a) and B, first paragraph]. The right to medical benefit shall lapse in the case of sickness arising after the expiration of a further 14 days. As soon as the person concerned again enters into an employment



or service for which insurance is compulsory, he shall pay contributions from and including the week during which he resumed work. He shall cease to be a member if this does not occur within eight weeks of the time when he ceased to be in employment or service.

## CHAPTER II.—*Notice of Entering and Leaving the Insurance.*

7. Persons for whom insurance is compulsory under this Act shall be compulsorily or voluntarily insured in the proper public local sick fund, or insured in a sick fund approved under this Act or a member of an approved substitute fund (§§54-65).

8. Where a person is admitted to a local sick fund, he shall, unless he is already in possession of a sick fund book issued by a local sick fund, be given a book of the kind in question, the price, contents and use of which shall be prescribed by the State Insurance Institution.

With the consent of the Institution, sick fund cards may be introduced instead of sick fund books by particular local sick funds.

9. (1) If a person on entering upon an employment or service is, or may be presumed to be, subject to compulsory insurance (§1), the employer shall, unless he is certain that the obligation to insure is fulfilled in some other manner, give notice in respect of the person concerned to the local sick fund for the district in which the workplace is situated.

If a compulsory member of a local sick fund works for the same employer temporarily within the district of another local sick fund, he shall remain a member of the first fund, but not for more than one year.

Where an undertaking from its nature extends over places situated within various communes, and insurance in the local sick fund for the place where the work is carried on consequently involves disproportionate inconvenience for the employer, the insurance may, on the application of the employer and with the consent of the State Insurance Institution, be effected through another local sick fund, designated by the Institution. In the case of persons insured in this manner, the communal share of the contributions [*cf.* §31 (5)] shall be borne by the employer.

In the case of persons for whom insurance is compulsory under this Act who are regularly employed on board ship [*cf.* §1 (2) (b)], the place where the shipowners have their business premises shall be held to be the workplace.

In the case of fishermen employed as wage-earners, the place where the employer has his business premises or, if he has no such premises, his place of residence, shall be held to be the workplace.

Exceptions to the above provisions as regards the workplace of compulsorily insured persons who are regularly employed on board ship or fishermen, may, notwithstanding, be allowed by agreement between the employer and the local sick funds concerned. If no agreement can be reached, the matter shall be decided finally by the State Insurance Institution.

(2) Where a compulsorily insured person is employed in a business or undertaking coming under the Acts respecting the accident insurance of workers in factories, etc.,\* or the accident insurance of seamen, the person who is or may be held to be the employer under the said Acts, shall also be regarded as the employer under the Act.

Disputes as regards a person's position as employer shall not exempt him from the duty of giving notice of members or of paying contributions.

(3) The local sick fund may, if it considers expedient, require a compulsorily insured person and his dependants [§16 (1) B] to be examined by a medical man selected by the local sick fund for the purpose, in order to make sure how far the person concerned is suffering from an existing disease or defect which would entitle him to benefits under §17 (1). The local sick fund shall pay for the examination in this case.

(4) Written notice of membership accompanied by particulars of the income, etc., on a form to be drawn up or approved by the State Insurance Institution, together with the sick fund book (*cf.* §8), if any, shall be sent in to the local sick fund as soon as possible, and at latest within five days after the person concerned has entered the employment or service; notwithstanding, a longer time limit may be fixed in the rules for country districts.

If the notice is delayed, it shall be incumbent upon the employer to cover all the fund's expenses under this Act in connection with the illness of the compulsorily insured person and his dependants [§16 (1) B] arising after the obligation to insure began but before notice was given. Contributions shall, in any case, be paid from, and including, the week in which the obligation to insure began.

(5) In the same manner and subject to the same time limit the employer shall notify the proper sick fund when an insured person leaves his service or if the obligation to insure ceases for some other reason [*cf.* §1 (2)].

If such notice is delayed, it shall be incumbent upon the employer to pay all the contributions, both the share payable by the member and that payable by himself as employer, in respect of the time since the insurance ceased [§6 (1)] until notice of withdrawal is given, but not after the local sick fund, through the settlement of accounts contemplated in §32 (1), has become aware of the cessation of the insurance. Notwithstanding, this obligation shall cease from the day on which the person concerned is proved to have been enrolled as a compulsory or voluntary member in a local sick fund or recognised sick fund.

Where a retired member or his dependants, as a result of delayed notice of withdrawal, receives benefit unlawfully, the employer concerned shall be bound to make good to the sick fund the outlay thus incurred.

(6) At latest one week before the first Monday in January and July, the employer shall give notice of any change in the earnings of compulsorily insured members or in their conditions of work, such as to cause the insured person to be transferred to a different class of income or risk [*cf.* §14 (6)]. Notwithstanding, local sick funds may, if they think expedient, themselves procure at any time the particulars necessary for the purpose of any such possible transference.

If an employer fails to give due notice of any such changes, and the fund, in consequence, pays out sickness benefit in accordance with a different income class than that to which the member should have been transferred, the employer shall be bound to make good the difference to the fund or the member.

(7) Persons for whom insurance is compulsory shall be bound to give both the employer and the local sick fund all the information necessary for the purposes of giving notice of membership or of withdrawal. It shall likewise be incumbent upon a compulsorily insured person, if he is aware of the fact that the notice has been delayed, to notify the local sick fund of the fact without delay.

CHAPTER III.—*Voluntary Insurance.*

10. (1) Every person having completed his fifteenth year of age and who does not come under the exceptions provided under §1 (2) (b)-(d), shall have the right to be insured under this Act as a voluntary member of the local sick fund of his place of residence, under the following conditions :

(a) The total annual income together with that of the husband or wife must not exceed 1,600 kr. in the country or 1,800 kr. in a town. In case of doubt as to whether these limits are exceeded or not, the decision shall be made on the basis of the last final assessment of taxes ;

(b) he must, if requested, prove by the certificate of a medical man selected for the purpose by the local sick fund, that he and his dependants [§16 (1) B] are in good health, so that the fund will not incur any special risk on their account. If it appears that such a risk will exist in the case of any dependant, the dependant concerned may be excluded from the insurance. The local sick fund shall pay for the examination in this case ;

(c) he and his dependants shall not be entitled to benefit under this Act for sickness arising during the first four weeks after admittance to the local sick fund ;

(d) if he is over 50 years of age at the time of joining, he must pay supplementary contributions for the period since he completed his fiftieth year of age. Notwithstanding, any time during which he can prove that he was a member of some local sick fund or recognised sick fund after completing his fiftieth year of age, shall be deducted from the said period ;

(e) applications for admission to a local sick fund in a voluntary capacity under this Section shall be sent in in writing, accompanied by a certificate of age, particulars of income and any other necessary information, on a form drawn up or approved by the State Insurance Institution. The fund shall decide on the application as soon as possible, and shall thereupon notify the person concerned without delay of the decision, and inform him into which class of income and risk he is to be placed. If the application is granted, he shall become a member of the fund from the day on which the advance contribution named in §12 (1), together with the supplementary contribution (if payable) is paid [*cf.* (d) above].

(2) If the member changes his place of residence he shall have the right, without regard to the conditions laid down in the first paragraph under (b), (c) and (d), to transfer his insurance to the new local sick fund from the expiration of the period in respect of which a contribution has been paid.

The same shall apply in the case of a member of a recognised sick fund who changes his place of residence and wishes to transfer his insurance to the local sick fund of his new place of residence, if he can be admitted thereto under the rules contained in §54 (3)-(5).

(3) If an application for admission as a voluntary member is received from a person who has been a member of a local sick fund without interruption for the last three months, and who does not come under the exceptions provided in §1 (2) (a)-(e), Sub-section (1) (a)-(e) of this Section shall not apply if the application is made at latest one week after the aforesaid membership has ceased or the local sick fund finds it reasonable to overlook the fact that the time limit has been exceeded, and the person concerned shall then be voluntarily insured without further question.

11. (1) Wage-earners and employees (§2) who do not come under the exceptions provided in §1 (2) (a)-(d) shall, regardless of the duration or regularity of their work, have the right to remain insured under this Act as voluntary



members of the local sick fund of the place where they work or reside. Section 10 (1) (a)-(e) shall not then apply. The following conditions shall be observed :

(a) His notice to join shall be sent in in writing to the proper local sick fund, accompanied by particulars of income, etc., on a form drawn up by the State Insurance Institution, and the sick fund book, if any [cf. §8] ;

(b) he and his dependants [§16 (1) B] shall be bound, if necessary, to submit to a medical examination as contemplated in §9 (3) ;

(c) he shall be enrolled as a voluntary member from the day on which the advance contribution named in §12 (1) is paid, unless he receives within one week of sending in his notice, written notice from the local sick fund that he has been refused admittance to voluntary insurance.

(2) If in the meantime the member changes his place of work or residence, he shall have the right to remain a member of the fund of the place where he was formerly.

(3) If a fund refuses to insure any person who has given notice under this or the preceding Section, but on appeal [cf. §66 (1) (c)] recognises such person's right to be insured, he shall be held to be a member from and including the day on which the fund received the notice. But in such case he shall pay any arrears of contributions and the advance contribution due, together with the supplementary contribution, if any, within one week after he has received notice that his membership is recognised.

12. (1) Contributions for voluntary insurance shall be paid in advance for at least four weeks at a time.

(2) If no direct notice of withdrawal has been given, the voluntary insurance shall cease one week (transition week) after the expiration of the period contemplated above for which contributions have been paid. Delay not exceeding three weeks after the expiration of the transition week in the payment of contributions may nevertheless be allowed by the local sick fund if important reasons exist.

(3) In the case of sickness arising within the period of four weeks named under (2), the contributions due shall be deducted from the sickness benefit.

A voluntarily insured person shall continue to be a member of the local sick fund during sickness, confinement, or absence on military service, for so long as sickness benefit (maternity benefit) is being received or military service being performed [cf. §33 (b)].

13. (1) Every voluntary member shall be bound, in accordance with the more detailed provisions of the rules, to give the local sick fund particulars of his income and employment. If he fails to do so, or if he gives incorrect particulars, he may be excluded from voluntary membership from a date to be determined by the fund.

(2) If a voluntary member's income exceeds the income limit applicable to him, the voluntary insurance shall cease from a date to be determined by the local sick fund.

If a person insured under §11 secures an independent position, his right to continue under insurance shall depend upon whether the limits of income contemplated under §10 (1) (a) are not exceeded, unless §10 (3) is applicable.

(3) If a voluntary member enters an employment or service for which insurance is compulsory, the voluntary insurance shall continue to operate for so long as the advance premiums are paid.

(4) The rules laid down for compulsory insurance shall apply to voluntary insurance in so far as nothing to the contrary appears in this Act.

CHAPTER IV.—*Income Classes.*

14. (1) Every person who is a member, whether compulsory or voluntary, of a local sick fund, shall be entered by the fund, in accordance with the date and particulars available, in the income class within which his annual earnings fall, according to the following table, and also in the risk class [§31 (3)] to which he belongs :—

Income Class.	Annual Earnings.	
	Exceeding : Kr.	Up to and Including : Kr.
1	0	300
2	300	600
3	600	900
4	900	1200
5	1200	

(2) Insured persons who receive no wages [§2 (3)] shall be entered in the first income class. The same shall apply to voluntarily insured persons who have no income.

(3) Any part of the earnings which consists of payments in kind shall be converted into money in accordance with the average prices prevailing in the locality. If the value of any such produce is estimated by the employer in agreement with the worker, such estimate may be approved by the sick fund, if this seems expedient.

(4) Under this Act, there shall be included in the earnings any consideration which the person concerned receives as remuneration for work done or services rendered, regardless of whether the remuneration is received from third persons.

(5) The amount of the earnings shall be estimated in the discretion of the local sick fund in so far as sufficient information on the matter is not available.

(6) The transference of a compulsory member from one income class or sick class to another, so long as the person concerned is in the service of the same employer, may be effected as from and on the first Monday in January or July, unless the local sick fund considers, on the information available, that it is expedient in any particular case to fix another date [*cf.* §9 (6)].

The transference of voluntary members shall be effected in accordance with the provisions contained in the rules.

(7) The Government Department concerned may, on the proposition of the State Insurance Institution or of the board of management of a local sick fund, resolve that whole classes of insured persons in certain districts or in the whole Kingdom shall be entered in a particular income class regardless of the earnings of individual persons.

15. Sickness benefit (§16) and contributions (§31) shall be calculated in accordance with the average daily earnings, which shall be held to be :—

In the 1st income class	..	..	..	..	kr. 1.00
„ 2nd	„	..	..	..	kr. 1.50
„ 3rd	„	..	..	..	kr. 2.50
„ 4th	„	..	..	..	kr. 3.50
„ 5th	„	..	..	..	kr. 4.50

CHAPTER V.—*Benefits of the Sickness Insurance.—Conditions determining the Right to Benefit.—Loss of the Right.*

16. (1) The local sick funds shall provide the following benefits :

A. For a member himself :

(a) Free medical attendance by the fund's medical man from the beginning of the illness and, when provided for the first time, such aids to recovery as spectacles, trusses, etc., and where surgical treatment is necessary, bandages and other requisites for such treatment in accordance with the orders of the medical practitioner. Medical treatment shall also include the extraction of teeth, by a medical man or a dentist, but not if this is done in order to put in false teeth.

(b) If the illness arises from an injury caused by an industrial accident for which compensation is payable under the Act respecting the accident insurance of workers in factories, etc., the local sick fund shall likewise provide the medicaments which the medical man considers necessary in the treatment of the injury. [Cf. §20.]

(c) If the illness causes incapacity for work, money benefit (sickness benefit) amounting to 60 per cent. of the average earnings in the income class concerned (§§14-15)—that is to say :

in the 1st class	..	..	..	..	kr. 0.60 per diem
„ 2nd „	..	..	..	..	kr. 0.90 „
„ 3rd „	..	..	..	..	kr. 1.50 „
„ 4th „	..	..	..	..	kr. 2.10 „
„ 5th	..	..	..	..	kr. 2.70 „

Notwithstanding, the sickness benefit, together with any remuneration which the person concerned may receive for work during his illness, or together with the sickness benefit from any private sickness insurance, shall not exceed 90 per cent. of his actual earnings when the illness began. Cases in which an insured person has the right to full wages during sickness without doing any work, shall not be affected by this provision [cf. §24 (3)]. In the case of persons who have no earnings the total sickness benefit shall amount to 60 öre per day.

If the incapacity for work is one-half or less, the local sick fund may reduce the sickness benefit by one-half. More detailed provisions on this matter shall be contained in the rules.

(d) On the confinement of a woman member, free attendance by a midwife, but not including travelling expenses, together with sickness benefit (maternity benefit) for six weeks reckoned from and including the day of the confinement together with the two weeks preceding it. Maternity benefit shall always amount to at least 1.00 kr. a day. This benefit shall be subject to the condition that the woman has been a member of a sick fund for the last ten months preceding the confinement. Short interruptions in the ten months shall not be taken into consideration. More detailed provisions on this subject shall be contained in the rules.

If sickness supervenes, instead of maternity benefit the same benefits as in the case of other illnesses shall be paid, but during the aforesaid eight weeks in no case shall less sickness benefit than 1.00 kr. a day be paid.

(e) A contribution of 50 kr. towards the funeral expenses, but not in the case of persons for whom the State Insurance Institution is bound to provide funeral benefit under existing legislation. In this case the



State Insurance Institution may require the local sick fund to pay out the funeral expenses subject to reimbursement.

*B.* For the husband or wife of a member and for children and adopted children under 15 years of age who are maintained by the member, who are designated as dependants in the present Act, free medical attendance, etc., as under *A (a)*, but not such aids to recovery as spectacles, trusses, etc.

A wife who is not herself a member shall be provided, in addition, with free attendance by a midwife, but not including travelling expenses, together with maternity benefit amounting to 30 kr. for each infant. This benefit shall be subject to the condition that the husband has been a member of a local sick fund before the confinement for the same period as that fixed for women members under *A (d)*.

(2) The rules of a local sick fund may provide that the midwife's travelling expenses shall be included in the free attendance by a midwife.

17. (1) Sickness arising at a time when the person concerned has not been insured in any local sick fund shall not entitle to any benefit under the present Act.

An attack of illness occurring one year or more after the conclusion of a previous attack of the same illness shall be regarded as a new illness [*cf. §19 (3)*].

(2) Where a member is transferred from one local sick fund to another, he shall have the same claims to benefit as if he had remained a member of the same fund all the time. Benefits in respect of a new illness shall devolve upon the new local sick fund.

(3) \* The duty of local sick funds to provide the benefits contemplated in §16 (1) *A (a)* [*cf. B*] shall not cover cases in which treatment or attendance is provided at the public expense under the Act of 16th May, 1860, respecting Health Committees, or the Act of 27th June, 1891, respecting the treatment and care of the insane, or the Act of 8th May, 1900, respecting special measures for the prevention of tuberculosis. Where, in such a case, a member receives attendance at the public expense, the provisions of §18 (3) shall apply correspondingly as regards the duty of the local sick fund to provide sickness benefit. It shall not be lawful for a member to be required to reimburse the public expenditure on such treatment and attendance in so far as concerns any period in which the provision of treatment and attendance would have devolved upon the sick fund, if the illness had been dealt with by them.

In cases where it is incumbent upon the public authorities to take over the expenses, this shall be done from the beginning of the illness.

(4) The midwives engaged by a local sick fund shall attend at the confinement and nurse the woman during the confinement and, if possible, before it. More detailed provisions respecting the duties of the midwives shall be drawn up by the boards of management of local sick funds in the form of instructions which shall require the approval of the Government Department concerned, after consultation with the State Insurance Institution.

The remuneration of the midwives shall be prescribed, where no yearly wage is paid, on a scale which shall be drawn up by the board of management of the local sick fund. In the case of disagreement between the local sick fund and the midwife concerned, as regards the amount of the remuneration, the matter shall be referred to the magistrate, whose decision shall be final.

(5) On the proposition of the board of management of a local sick fund, the State Insurance Institution may, with the approval of the Government Department concerned, resolve that a money allowance shall be made instead of free attendance by a medical practitioner, dentist, or midwife. A resolution on this matter shall affect the local sick fund concerned, and shall

operate until such time as is fixed in the resolution. More detailed regulations for the assessing of the allowance shall be drawn up by the local sick fund, with the approval of the State Insurance Institution.

(6) In communes having communal medical officers, dentists or midwives, whose duty it is to provide free medical attendance, dentistry or midwives' services for the inhabitants of the commune, the provisions of §16 (1) A and B, requiring attendance by medical practitioners, dentists, or midwives to be provided, shall cease to apply from a date fixed by the State Insurance Institution on the proposition of the board of management of the fund.

18. (1) Instead of the benefits prescribed in §16 (1) A (a)-(c), an insured person may be given free treatment and care in a hospital, which shall be taken to include sanatoria. In case of accidents coming under the Accident Insurance Act or the Seamen's Insurance Act, the State Insurance Institution may require that the person concerned shall be treated in a hospital in accordance with §8 of the former Act or §5 of the latter (*cf.* §7 of the latter Act). In addition, instead of the benefit named under B, first paragraph, a local sick fund may provide free treatment and care in a hospital, if the fund finds that this can be done without incurring seriously increased expense, or if treatment cannot be given properly in the home.

Likewise, a woman member, or the wife of a member, may be given free treatment and maintenance in a maternity home instead of the maternity benefits prescribed under A (d) and B.

(2) If a sick person, without authority under any existing law, refuses to conform to the resolution of a local sick fund as regards his entering a hospital, all benefit for himself personally shall cease, but sickness benefit may be granted to his family in the case contemplated below under Sub-section (3).

If a woman on her confinement refuses without good ground to conform to the resolution of a local sick fund as regards her entering a maternity home, the local sick fund may resolve that all benefit to herself or her family shall cease.

(3) While a person is in a hospital, the sickness benefit prescribed in §16 shall cease; but if the sick person has a husband (or wife) or relations living in the same house, whom the member supports and is bound by law to support, sickness benefit shall be provided for such persons, calculated at the rate of 20 per cent. of the average daily earnings if there is one such person to be supported, 35 per cent. if there are two, and 50 per cent. if there are three or more.

(4) While a woman is in a maternity home on her confinement, the maternity benefit shall likewise cease; but the local sick fund may grant to her family at home as much as 50 per cent. of this to provide the necessary support for the household.

19. (1) Sickness benefit [§16 (1) A (c)] shall be reckoned and paid out in respect of every day of the week except Sunday, for so long as the incapacity for work lasts, but not for the first three days, including Sunday, after the incapacity for work begins, and for not longer, as regards each separate attack of illness, than till the end of the twenty-sixth week reckoned from and including the first day for which sickness benefit is received, or from and including the first day that the person concerned remains in a hospital, if no sickness benefit is received before admission thereto.

(2) Where a member has already received sickness benefit for an attack of illness, and afterwards has one or more further attacks of the same illness, these shall be regarded as a continuation of the first unless the third and fourth Sub-sections apply. Sickness benefit shall be paid for not more than 39 weeks altogether for the first and later attacks, but for not more than 26 weeks in any one year reckoned from the beginning of the first payment of benefit in accordance with the first Sub-section, or in the case of each separate attack.

If the payment of sickness benefit is interrupted, no further sickness benefit shall in any case begin to run until a new attack of illness begins.

The question whether sickness benefit is received during membership of one or of several local sick funds shall not affect the case [*cf.* §17 (2)].

(3) An attack of illness which begins one year or more after a previous attack of the same illness has come to an end and before sickness benefit has been paid for 39 weeks altogether in respect of the same, shall be regarded as a new illness.

(4) Where a member has received sickness benefit for 39 weeks altogether under Sub-section (2) of this Sub-section for an attack of the same illness, he shall not later receive benefit for the same illness before two years have elapsed since the last benefit was paid, reckoned from the end of the last attack of illness, and unless he has been free from the illness in question during the whole of the said period.

(5) Treatment and care in a hospital [§18 (1)] shall be given on every day of the week from and including the day of admission. In other respects treatment and care in a hospital shall be due, as regards the duration of benefit, in the same manner as sickness benefit, so that days spent in a hospital—excluding Sundays—shall be counted as days of sickness benefit. Sickness benefit for the family [§18 (3)] shall be paid for every week-day except Sunday from and including the first day the person concerned remains in the hospital.

(6) (a) In the case of members [§16 (1) A] the right to medical benefit shall begin with the illness, and shall last for so long as the sickness lasts, but not after the payment of sickness benefit (hospital treatment), if any, has ceased in accordance with (1) to (5) of this Section.

(b) In the case of other insured persons [§16 (1) B] the right to medical benefit shall likewise begin with the illness, and the provisions under (1) to (5) respecting the duration of the sickness benefit shall apply correspondingly to the right to medical benefit, in the sense that the duration of the said benefit shall be reckoned from the first to the last day inclusive on which the medical practitioner attends the case.

20. (1) If the illness is an injury caused by an industrial accident which entitles to compensation under the Act respecting the accident insurance of workers in factories, etc., the local sick fund shall not be bound to grant benefit for a longer period than until the tenth day inclusive since the day on which the accident occurred. Notwithstanding, the State Insurance Institution may require the sick fund to continue to give treatment and benefit under the provisions of this Act, in which case the State Insurance Institution shall reimburse out of the workers' accident insurance funds all sums paid out after the expiry of the first ten days.

(2) In no case shall the sick fund be bound to pay sickness benefit for the same injury for longer than until the day on which the injured person receives an invalidity pension under any of the accident insurance laws in force.



21. No person shall have a claim to sickness benefit under this Act without producing a medical certificate or maternity benefit without producing the midwife's certificate. Where special difficulties stand in the way of procuring such certificates, the sick fund may accept any other satisfactory evidence. More detailed regulations in this matter and respecting the supervision of sick persons shall be contained in the rules.

22. (1) Unless anything to the contrary is provided by the rules or by agreement, sickness benefit shall be paid out in arrears for every week at the rate of six times the daily sickness benefit ; but on the first and last occasion the benefit may be paid for whatever number of days for which benefit is payable fall within the first and last weeks.

(2) The sick fund shall appoint at least one fixed day of the week for the payment of sickness benefit.

(3) The maternity benefit contemplated in §16 (1) A (d), and B, second paragraph, if any [*cf.* §18 (1), last paragraph] shall be paid as a rule to the lying-in woman in person. Notwithstanding, the local sick fund may resolve that, where necessary, the benefit shall be paid out wholly or in part to any other person to be used to the best advantage of the woman or the child. The maternity benefit shall be paid all in one sum, or in instalments in accordance with the more detailed rules of the local sick fund. If the woman dies before the expiration of the period in respect of which the maternity benefit was paid to her, it shall nevertheless not be necessary for any reimbursement to be made.

23. Where a person while abroad as contemplated under §3, is entitled to benefit under this Act, his employer shall be bound, for so long as the insured person remains abroad, to pay for the benefit which the local sick fund would otherwise have provided. The local sick fund shall reimburse these payments to the employer, provided that the medical benefit under §16 (1) A (a) shall not be paid for at a higher rate than that prevailing for the fund.

24. (1) In so far and as long as a servant (domestic) is cared for in case of illness by his master, the latter shall receive the sickness benefit due to the servant under this Act. The master shall be bound to provide such attendance for not more than four weeks, if the local sick fund is of opinion that there are objections to removing the sick person to a hospital. Notwithstanding, the master's obligation shall cease if the servant leaves his employment after notice or for other lawful reasons. The obligation shall expire likewise if the person concerned is ill on entering the service, and also if the disease is venereal.

(2) As regards the benefits of sick seamen who are insured under this Act, the following provisions shall apply [*cf.* §90 of the Shipping Act of 20th July, 1893] :

(a) For the period during which the seaman is cared for on board ship, the compulsory sickness benefit shall be paid over to the person at whose expense the attendance is provided.

(b) For the period during which the seaman is attended in a hospital in a foreign port the expenses incurred while the local sick fund is bound to pay benefit shall be reimbursed by the fund to the person at whose expense the attendance is provided. The same procedure shall be applied as regards the expenses of attendance in a seamen's home or such-like institution, in a foreign port, including the remuneration of a medical man outside the home. Where occasion arises sickness benefit shall be paid also in accordance with §18 (3).

(c) Where a seaman is cared for in Norway the duty of the ship-owner to make provision for him under the Act mentioned above shall cease in respect of the period for which benefit must be provided by the local sick fund under the present Act.

(3) If an insured person while he himself is in receipt of sickness benefit under §16 or his wife or relatives are in receipt of benefit under §18 (3), continues to have a claim to wages from his employer, the latter shall be entitled to deduct the sickness benefit in paying the cash wages for the corresponding period.

25. (1) In the event of the insured person contracting an illness in the exercise of his military service, he shall have no right to benefit under this Act, in so far as the payment of benefit in such case is incumbent upon the military authorities. If a local sick fund undertakes such expenses after receiving more detailed information or a requisition from the military authority concerned, the Treasury shall reimburse to the local sick fund any amounts paid out in this manner.

If the person concerned has another attack of the same illness after his treatment at the expense of the military authorities has come to an end, he shall be paid benefit to the extent authorised under §19 (2)-(6), by the local sick fund of which he is a member at the commencement of the attack.

(2) Where a person is treated in a hospital at the expense of the military authorities the local sick fund shall provide the sickness benefit contemplated under §18 (3), but only for such of the time spent in hospital as falls after the day on which the compulsory military service of the person concerned would have come to an end, if he had not been ill. If the person concerned while in hospital receives a family allowance from the military authorities, this shall be deducted from the amount payable by the local sick fund.

26. (1) Where a person who is in receipt of sickness benefit under this Act leaves the country, all claims against the local sick fund concerned shall lapse.

(2) An insured person who causes his illness deliberately or by drunkenness shall lose his right to sickness benefit or free treatment and care in a hospital; notwithstanding, the latter benefit may be allowed if this seems to be the most profitable course for the local sick fund, or if it seems that permanent physical injury may be prevented thereby. In any case, the sick fund shall provide sickness benefit for his family in accordance with §18, third Sub-section.

The sick fund may demand the repayment by the insured person of all benefits paid in connection with a case of illness here contemplated.

(3) An insured person who, by means of dissimulation or false declarations as regards his illness or incapacity for work, has received sickness benefit unlawfully shall repay to the fund all that it has paid out.

(4) An insured person may be refused benefit by the local sick fund, wholly or in part, if he during his illness:

(a) fails without good ground to fulfil the duty laid upon him by §29 to give notice, or

(b) fails to carry out the instructions of the medical practitioner or the local sick fund; or

(c) in general, is guilty of gross negligence with respect to his health; or

(d) leaves the district of the local sick fund without the consent of the said fund.

(5) An insured person shall be bound to give the local sick fund the necessary information as regards his actual earnings at the beginning of an illness for which sickness benefit is received, his earnings during his illness,

and benefits received from any private insurance [§16 (1) A, (c)]. If he fails to do so or gives incorrect information he shall lose his right to sickness benefit from the local sick fund.

27. (1) Funeral benefit shall be paid out on receipt of whatever proof of death the rules may require.

(2) If death supervenes after sickness benefit has ceased, the funeral benefit shall nevertheless be paid even if the person concerned had ceased to be a member, provided that the incapacity for work lasted until death, and the death resulted from the same illness within one year of the cessation of the sickness benefit.

(3) Funeral benefit or such part of it as has been used for the expenses of the funeral shall be paid out to the person who provided the funeral. In the case of seamen insured under this Act, the shipowners shall have the right to the allowance here contemplated, if they have paid for the funeral under §93 of the Shipping Act of 20th July, 1893. Any surplus shall be paid to the deceased person's wife (or husband) or child. If there are no such survivors, the sum remaining over shall be repaid to the fund.

28. (1) If any person insured in a local sick fund [§16 (1) A and B] is or becomes ill while residing in the district of another local sick fund, the latter fund shall provide the necessary monies as regards the medical treatment, benefits, etc.

(2) Local sick funds shall likewise co-operate in the collection of contributions and sums to be made good under §9 (4)-(5). They shall, in addition, assist one another with information, etc., which a fund may find to be necessary for the purpose of administering this Act.

(3) The mutual relations of local sick funds shall be regulated in more detail in the rules.

#### CHAPTER VI.—*Notice of Illness, Confinement, and Death.*

29. (1) If any person insured in a local sick fund [§16 (1) A and B] is taken ill (or meets with an injury by accident), he shall notify the fund of the fact as soon as possible, and send with the notice such proof as is required by the rules of the fund.

(2) In case of confinement, the person concerned shall likewise inform the local sick fund as soon as possible, and send the proof required by the rules.

(3) The local sick fund shall thereupon decide how far the person concerned is entitled to benefit from the fund, and shall then make the arrangements necessary in the circumstances for the treatment of the sick person and for the effective supervision of the sick person and of the benefits. If the general provisions on these matters are inadequate or inapplicable in the circumstances, the necessary special rules shall be issued by the local sick fund.

(4) If the illness is an injury caused by an accident which entitles to compensation under the Act respecting the accident insurance of workers in factories, etc., any expenses of removal or other extraordinary arrangements shall be met by the State Insurance Institution out of the workers' accident insurance funds. More detailed provisions on this matter shall be included in the rules.

(5) If a member of a sick fund dies, the person or persons having a claim to funeral benefit shall notify the local sick fund of the death as soon as possible, and at latest within one week in a town, and two weeks in the country. [Cf. §27.] If they fail to do so, the local sick fund may refuse funeral benefit.



30. If a member of a local sick fund is injured by an industrial accident, the State Insurance Institution shall inform the local sick fund as soon as possible if the injury is recognised and the injured person has a right to free medical assistance [§16 (1) A (b)] and whether, if occasion arises, it is desired that he should be treated on behalf of the State Insurance Institution after the expiration of the first ten days [§20].

CHAPTER VII.—*Income and Funds of the Local Sick Funds. Scale of Contributions. Accounts. Equalisation Fund.*

31. (1) In order to meet its expenditure, a local sick fund shall have the right to collect contributions in accordance with the scale applicable for the time being to a fund.

(2) If no special scale is prescribed for a local sick fund [*cf.* §30 (2)–(3)] a standard scale shall apply to the fund, which shall be drawn up by the Government Department concerned on the proposition of the State Insurance Institution; contributions must be fixed so as to cover all the expenses of the local sick funds.

(3) The scale shall give the contributions separately for the different income classes, and in addition consideration may be given to the different risks of illness in different occupations. For this purpose the members may be divided into two risk classes.

(4) The contributions shall always be reckoned for a whole calendar week (six working days), regardless of which day of the week it is when the compulsory insurance begins or comes to an end, or voluntary insurance comes into operation.

(5) The contributions, reckoned in accordance with the scale in force for a member, shall be paid as follows:—

(a) In the case of a compulsory member: six-tenths by the member himself, one-tenth by his employer, one-tenth by the commune, and two-tenths by the State;

(b) In the case of a voluntary member: seven-tenths by the member himself, one-tenth by the commune, and two-tenths by the State.

If a compulsory or voluntary member becomes a member of a special benevolent scheme in connection with a mine, factory, or business, the undertaking in question shall pay the part of the member's contribution which would otherwise have been payable by the commune concerned.

(6) Where a commune undertakes to provide, in respect of its inhabitants, any of the benefits which are incumbent upon a local sick fund under this Act, the commune shall receive an annual grant from the State corresponding to what the State, by this arrangement, may be assumed to have saved in contributions to the sick fund (or funds) concerned, and also in travelling allowances (if any) to the impecunious sick.

The State grant shall be made in accordance with rules which shall be drawn up by the King on the proposition of the State Insurance Institution. It shall be fixed by the Department concerned on the proposition of the State Insurance Institution.

32. (1) Such parts of the contributions as devolve upon a compulsory member and his employer shall be paid altogether by the employer on the first Monday of every month, to the extent of whatever number of weekly contributions are due in respect of the member in question since the previous day of payment [*cf.* §9 (4) and (5)].

Notwithstanding, the rules of the local sick fund may fix other intervals for payment for all or certain conditions of work.

If the contributions are not paid when due, the local sick fund may charge interest at 6 per cent. until the payment is effected. More detailed provisions on this matter shall be contained in the rules.

(2) The part of the contributions which devolves upon the member shall be deducted by the employer from his wages on each pay day. If the employer fails to make the deduction he shall be bound to pay the member's share of the contribution himself, and he shall not be entitled to claim reimbursement from the member if he leaves his service or if three months have elapsed since the pay day in question.

Where an insured person receives no money wages, his part of the contributions shall be paid entirely by the employer. Notwithstanding, peasants who receive no money wages shall be liable to repay to their masters the part of the contributions devolving upon them.

(3) In the case of persons engaged in work for which insurance is compulsory, who are employed by several employers, the employer with whom, in the fund's opinion, the person concerned has his principal employment, shall be held to be responsible towards the local sick fund. The employer shall pay his share of the whole contribution [§31 (5)], without any right to reimbursement from the other employers. The decision of the local sick fund shall be final.

The board of management of the local sick fund may require, with the approval of the State Insurance Institution, that the employers in branches of work where persons are engaged alternately by different employers shall unite for the purpose of undertaking the obligations incumbent upon them as regards the insurance. More detailed provisions for the organisation and working of such arrangements may be sanctioned by the board of management of the local sick fund, with the approval of the State Insurance Institution. If no such arrangement is made, or if certain employers withdraw from it, the local sick fund may make each individual employer who has not been willing to take part in the arrangement responsible for all the said obligations.

(4) If a voluntary member enters an employment or service for which insurance is compulsory, he shall, in so far as the voluntary insurance is continued, be entitled to require his employer to make good the part of the contributions which would have been payable by the employer in the case of compulsory insurance.

(5) Contributions may be paid, in accordance with the more detailed provisions of the rules, either direct to the business manager of the fund or to some other person authorised to collect the contributions.

33. No contributions shall be payable :

(a) in the case of compulsory insurance, for complete weeks during which the member receives sickness benefit (maternity benefit) on account of sickness, including the preceding three days of incapacity for work [*cf.* §19 (1)], or during which he is on military service, or during which he remains a member, in pursuance of §6 (4) ;

(b) in the case of voluntary insurance, for complete weeks during which the member receives sickness benefit (maternity benefit) in the circumstances named under (a), or is on military service. Notwithstanding, contributions shall be paid for the four weeks [§12 (1)] current when the sickness begins ; but the member shall be credited on the next payment of contributions with contributions in respect of the complete weeks for which he received sickness benefit.

34. The commune's share of the contributions shall be paid to the local sick fund, in advance, every half-year, to an amount corresponding to the contributions received during the preceding year.

35. (1) The State's share of the contributions shall be paid to the local sick funds by the State Insurance Institution, in advance, in the course of every half-year, to an amount corresponding to the contributions received during the preceding year. Before the end of February, in each year, the local sick funds must send in to the State Insurance Institution the particulars necessary for the purpose of making a final estimate of the share of the contributions in respect of the preceding year.

(2) Part of the total share of the contributions due to the local sick funds in respect of the year shall be retained by the State Insurance Institution, when the final estimate is made, for the purpose of forming an equalisation fund for sickness insurance. The State Insurance Institution shall fix for one year at a time how large a fraction of the said share of the contributions shall be put aside for the equalisation fund; but this fraction shall never exceed one-tenth.

36. (1) If the accounts of a local sick fund for any year show an excess of income over expenditure, the surplus shall be set aside in a reserve fund for the fund.

(2) If the reserve fund of a fund, over a period of five years, has amounted to a sum at least corresponding to the average half-yearly contribution receipts for the last three years, the State Insurance Institution may, on the proposition of the board of management of the local sick fund, reduce all or some of the rates in the scale of contributions. The reduction shall not come into force until 1st January following the decision.

If the reserve fund, on the presentation of the annual accounts, is shown to amount to at least twice the last year's contribution receipts, the State Insurance Institution may, on the proposition of the board of management of the local sick fund, proceed immediately to reduce some or all of the rates in the scale; notwithstanding, the reduction shall not come into force until the first Monday of a calendar month [cf. §32 (1).]

(3) If, on the other hand, the accounts show the income, together with the reserve fund, to be inadequate to cover the year's expenditure, the board of management of the fund shall, after the accounts are audited, immediately inform the State Insurance Fund of the matter, and send at the same time as precise an explanation as possible of the causes of the deficit, and, if necessary, an application for a provisional loan from the equalisation fund, to cover the deficit. If the State Insurance Institution considers it expedient, in view of the explanations given, it may resolve that the deficit shall be finally met, wholly or in part, out of the equalisation fund. The local sick fund may, in any case, be ordered to increase some or all of the rates of contribution, to such extent as the Institution may think necessary from a date fixed by the State Insurance Fund, and until further notice. Notwithstanding, the increase shall only come into force on the first Monday of a calendar month [cf. §32 (1).]

Where special circumstances make it necessary, the State Insurance Institution may also grant a loan from the equalisation fund, with or without any increase in the rates of contribution.

37. (1) The reserve fund of a local sick fund shall be invested, as far as possible, within the commune and in accordance with more detailed provisions contained in the rules.



(2) If and so long as the reserve fund reaches at least the amount named in §36 (2), first paragraph, the interest on the reserve fund may, with the consent of the State Insurance Institution, be applied wholly or in part to purposes connected with the care of the sick, such as contributions towards the establishment or support of hospitals, maternity homes, tuberculosis sanatoria, and the like, or for supplying medicine to specially necessitous families.

38. (1) The funds of a local sick fund shall be kept entirely apart from all other funds which the business manager may have in his charge.

(2) The salary of the business manager shall be fixed by the communal council on the proposition of the board of management of the local sick fund (§49). Other office expenses shall be approved by the board of management of the local sick fund.

39. (1) The accounts of the local sick funds shall be closed on 31st December,

(2) As soon as possible, and at latest by the end of February, the fund shall arrange for the accounts of the previous year to be audited.

(3) Thereafter, and before the end of April, the board of management shall send in the audited accounts to be passed by the communal council.

(4) As soon as the accounts are audited, the local sick fund shall present to the State Insurance Institution a summary of the same, together with the necessary statistical data, in accordance with a form prepared by the State Insurance Institution; a written or printed copy of the summary of accounts shall, at the same time, be made available for general inspection, in a convenient place, for four weeks.

#### CHAPTER VIII.—*Organisation of the Sickness Insurance.*

40. In each commune of the kingdom there shall be established a public sick fund (local sick fund), or, if the communal council considers necessary and the State Insurance Institution consents, several such funds.

If a commune is divided, or if two communes are united or the boundaries between them altered, the State Insurance Institution shall issue the necessary provisions as regards the division or uniting of the sick funds, or the transference of the members, and the date of the same.

41. (1) The central administrative body for the local sick funds shall be the State Insurance Institution, which shall, in accordance with the Act, control the management of the local sick funds, and, in general, the administration of the Act altogether, and shall also, with the help of the equalisation fund contemplated in §35 (2), aim at equalising the risks of the different local sick funds.

(2) The Institution shall keep the funds belonging to the sickness insurance separate from its other funds.

(3) More detailed regulations respecting the organisation of sickness insurance under the State Insurance Institution and its governing body shall be issued by the King.

(4) The administrative expenses of the State Insurance Institution, as far as this Act is concerned, shall be borne by the Treasury.

42. A local sick fund shall form an autonomous corporation. Its liability shall be limited to its own property.

43. (1) Only such persons (men or women) as pay contributions towards their own insurance, or whose share of the contributions is paid by the employer [§32 (2)] shall be held to be members of a local sick fund.

(2) Members who have completed their 21st year of age shall have the right to vote and be elected in the fund in which they are insured at the time of the election.

(3) Employers who, at the time of an election, are bound to pay contributions to the fund, and who have completed their 21st year of age, shall have the right to vote and be elected.

44. (1) The affairs of the local sick fund shall be managed by a board of management consisting of nine members and nine substitutes, elected for three years.

(2) The members and substitutes on the board of management shall be chosen by the communal council; namely, five members and five substitutes from amongst the persons eligible under §43 (2), two members and two substitutes from amongst the persons eligible under §43 (3), and two members and two substitutes without restriction of choice.

The election of the board of management, which shall take place with every new communal council, shall be undertaken by the latter. The election must take place at the meeting at which the chairman and vice-chairman are appointed.

(3) As soon as the election is held, the chairman shall inform the president of the board of management of the appointments made.

(4) The local sick fund's medical men, dentists, and midwives [cf. §49 (2) (d)] shall not be appointed members of the board of management.

45. The rules may provide that the board of management shall consist of five members with five substitutes. In this case, instead of the numbers five, two, and two, prescribed in §44, second and third Sub-sections, the number of members elected from the respective groups shall be three, one, and one.

46. The board of management, whose term of office shall begin on 1st January, shall itself appoint its own president and vice-president, for one year at a time. This election shall take place in December before their office begins, under the presidency of the acting president of the board. A president may be re-elected; but he may refuse to stand for election the following year.

47. (1) The board of management may be re-elected; but the retiring members may refuse to serve for the following term of office if they have served after two consecutive elections.

(2) If any member ceases to be eligible, he shall leave the board of management. Temporary interruptions in his eligibility shall, however, not be taken into consideration.

(3) If a member leaves out of order, his place shall be taken by the corresponding substitute.

48. (1) The members of a board of management shall be regarded as public deputies (*ombudsmænd*) for the purposes of the penal law. A person elected shall be bound to serve unless he has completed his sixtieth year of age or is chief guardian or member of the standing committee (*formandskap*) of the commune, or the business manager of the local sick fund, or a paid servant of the fund.

(2) The communal council may, on the proposition of the board of management of the local sick fund, pay the president a suitable salary for his services. This shall be paid by the local sick fund. No other members of the board of management or of the representative council shall receive any remuneration for their services.

49. (1) The board of management shall meet on being summoned by the president, who shall preside over it, at least once a year, exclusive of the

meeting prescribed in §46, and, in addition, so often as the board thinks necessary.

(2) It shall be the duty of the board of management :

(a) to prepare proposals for the rules of the sick fund, and any later amendments ;

(b) to send the accounts to be passed by the communal council.

(c) to make proposals for the salaries of the president and the business manager, to fix the salaries of and appoint other employees, after consultation with the business manager ;

(d) to conclude contracts with medical men, dentists, midwives, chemists, hospitals, etc., and, if necessary, to deal with complaints respecting the arrangements made on these matters. The person concerned shall be given an opportunity of being present during the consideration of such complaints.

The midwives engaged by a local sick fund shall, as a rule, be publicly appointed midwives, where there are any such persons available.

The contracts with medical men may provide that they shall be appointed at a fixed annual salary, or be paid a fixed sum per member.

Similar agreements may be made with dentists and midwives.

(3) In other respects, the board of management, in accordance with the present Act and the rules of the fund, shall conduct the affairs of the fund, including the administration of its funds, and shall, through its president, represent the local sick fund in all legal business.

(4) In case of an equality of votes on the board of management, the president shall have a casting vote.

(5) More detailed provisions as regards the procedure and validity and invalidity of resolutions of the board of management shall be contained in the rules.

(6) The business manager shall take part, without a vote, in the meetings of the board of management and in the general assembly, unless anything to the contrary is provided in particular cases.

50. (1) The members of a local sick fund entitled to vote, together with the employers having votes, shall be convened to a general assembly at least once a year by the president of the board of management, who shall also conduct the proceedings. The holding of a general assembly shall be duly announced in the manner provided in the rules.

(2) The rules may provide that a representative council, to act instead of the general assembly [*cf.* §51], shall be appointed by and from amongst the members of the fund entitled to vote and employers having votes.

51. The general assembly [or representative council, *cf.* §50 (2)] shall :

(a) consider the board of management's draft rules and any later amendments to the same. The rules, as well as any later amendments to the same, shall require the approval of the State Insurance Institution in order to be valid. For so long as the rules are not issued, the model rules which shall be drawn up by the State Insurance Institution shall apply ; the Institution may also, in case of doubt, provide that the model rules shall continue to apply ;

(b) where occasion arises, resolve that the fund's employees or members of the board of management shall be held liable ;

(c) deal with the business of the sick fund, consider the contracts concluded by the board of management with medical men, dentists,



midwives, chemists, hospitals, etc., and address to the board of management any observations which may seem justified.

52. (1) More detailed provisions as regards the procedure of the general assembly shall be contained in the rules [cf. §50 (1)].

(2) The rules shall likewise contain, where occasion arises [cf. §50 (2)], the necessary provisions as regards the number and election of the representatives, their term of office, the procedure, etc., of the representative council, provided that two-thirds of the representatives shall be elected by and from amongst the members of the sick fund entitled to vote, and one-third by and from amongst employers having votes.

53. (1) The communal council shall appoint the business manager of the local sick fund after procuring a proposal from the board of management.

The communal council shall likewise appoint one or more auditors to examine the local sick fund's accounts [cf. §39 (2)], and fix their remuneration after hearing the proposals of the board of management.

(2) The chairman, vice-chairman, or any member of the board of management, or any of the fund's medical men, dentists, and midwives [cf. §49 (2) (d)] shall not be paid employees of the local sick fund.

(3) The business manager shall conduct the daily business of the local sick fund. When it is necessary for the local sick fund to make any decision under this Act, the matter shall be dealt with by the business manager, unless it expressly devolves upon the board of management in accordance with the Act or rules. Notwithstanding, the decisions of the business manager may at any time be referred to the fund's board of management, within the time limit contemplated in §66 (2), unless anything is provided to the contrary.

Disputes between the board of management and the business manager as regards their respective spheres may be referred to the State Insurance Institution for decision.

(4) The commune shall be responsible for the sums received by the business manager, but may require suitable security from him.

(5) The business manager and auditors shall be placed in the same position as public servants under the penal law.

#### CHAPTER IX.—*Approved private or communal sick funds, etc.*

54. (1) Works funds or other private or communal sick fund may take the place of public local sick funds if they are approved by the State Insurance Institution, which may also, if necessary, withdraw approval given.

(2) The same shall apply to substitute funds for men and women teachers, which secure for their members in case of sickness the right to their full wages for a period of at least six months—or a period corresponding thereto—in twelve consecutive months, and also to railway sick funds, if the management of the railway in question provides for its officials or workers being members of such funds, in case of sickness and confinement, benefit which may be regarded as at least equivalent to benefits under this Act (§16).

Such approved substitute or railway funds shall, moreover, not be subject to the provisions of this Act, with the exception of §§63 and 64.

(3) Subject to the exception named in §58, approved works funds shall include all the workers and employees for whom insurance is compulsory employed in the works.

(4) Compulsory members of approved trade union funds shall remain in them for so long as they are members of the trade union to which the fund is attached.

(5) Where a member of an approved works fund leaves the employment, or where a member of an approved trade union fund leaves the trade union, he shall, if he is over 50 years of age, in order to continue to be insured, make use of the right which §55(f) gives him, if he cannot become a member of any other approved sick fund.

55. In order that the sick funds named in (1) of the preceding Section may be approved, it shall be necessary for the rules of the fund to contain express provisions:

(a) To the effect that the assets of the fund shall only be used to provide the benefits prescribed in the rules in case of illness, confinement or death and shall be administered in other respects in a manner approved by the State Insurance Institution, and also that the accounts shall be kept separate from any other accounts of the fund or union;

(b) To the effect that every member shall be provided with a sick fund book drawn up on a plan approved by the State Insurance Institution [cf. §8];

(c) Granting benefits which are not less than those which the local sick funds are bound by law to provide at any time, and imposing conditions for retaining membership and receiving sickness benefit which are not more severe than those applying to compulsorily insured persons;

(d) Providing that the fund shall fulfil the same obligations towards persons insured against accidents with the State Insurance Institution as devolve upon the local sick funds under this Act;

(e) To the effect that the members of the fund shall not be liable beyond their contributions (fees);

(f) Giving the members the right to remain members of the fund after they have left the undertaking or union to which the fund is attached;

(g) Making it possible for any disputes between the members and the fund to be brought before the tribunals named in §66, and for any disputes which may arise between the fund and another approved fund to be referred for decision to the tribunals named in §67; the time limits for appealing shall be the same as those fixed in §§66 and 67;

(h) Regulating the election of the board of management of the fund and other officials in accordance with the more detailed requirements of the State Insurance Institution;

(i) Requiring minutes of the proceedings of meetings of the board of management and of members to be kept.

56. (1) Funds which cannot rely on having a permanent membership of at least 200 shall not be approved. Notwithstanding, communal and works sick funds may be approved if they can rely on having a permanent membership of at least 100.

(2) The State Insurance Institution may, in addition, approve funds established before 3rd July, 1911, even if they have a smaller number of members, not being less than 50, provided that they have adequate reserve funds.

57. No fund shall be approved unless it has a reserve fund which the State Insurance Institution finds sufficient, unless it pledges itself to increase the contributions or raise the necessary funds by some other means within five years.

58. It shall not be lawful to compel a person for whom insurance is compulsory to become a member of a communal or works sick fund, if he

proves that he has fulfilled his obligation to insure by means of membership of a local sick fund or approved sick fund.

59. (1) Where an employer at his own expense provides free medical benefit for the members of an approved sick fund attached to the undertaking, or to the commune, to the same extent as is prescribed for local sick funds, he may be released, as far as these members are concerned, from paying the share of the contributions contemplated in §61 (2) (c) of the present Act.

(2) An employer's action in taking the medical benefit upon himself shall require the approval of at least one-half of the members attending a lawfully summoned general assembly, whose vote on the question shall be taken by ballot. The approval shall hold good for three years at a time.

(3) Section 17 (b) shall apply correspondingly to approved sick funds.

60. The amount of the members' contributions (fees) shall be fixed by the general assembly. The contributions shall not be less than what is necessary, combined with any other regular income, to cover adequately the sickness benefit and other outlay provided for in the rules of the fund, and also to build up a reserve fund as contemplated in §57.

61. (1) The State Insurance Institution shall reimburse to approved sick funds, to the same extent as is provided in §20 of the present Act for local sick funds, all sums paid out in respect of sickness benefit for persons who have met with accidents in an undertaking insured against accidents.

(2) In addition, the following annual grants shall be made ;

(a) From the State, two-sixths of the average contribution (fee) for each member ;

(b) From the commune in which the workplace is situated, one-sixth of the average contribution (fee) for each member ;

(c) From the employer, one-sixth of the average contribution (fee) for each compulsorily insured member in the employer's service [cf. §§54 and 59] ; but not more than 4.00 Kr. from the State, 2.00 Kr. from the commune, and 2.00 Kr. from the employer for each member.

On the proposition of the State Insurance Institution, the proper Department may increase these amounts up to the before-mentioned fractions, if the average contributions (fees) in an approved sick fund exceed 12 Kr. for each member. Provided that they shall not be raised above the average contribution per member in the local sick fund of the place.

Where an approved sick fund belongs to a mine, factory or business which has a special benevolent scheme, the commune's contribution shall be paid to the undertaking in question.

The number of members shall be calculated in accordance with the average number during the preceding year.

(3) The average contemplated in Sub-section (2) shall be arrived at by adding the number of members on the first day of every month and dividing the total by twelve. But no person shall be included in the monthly numbers who owes contributions for more than four weeks, nor members whose income exceeds the limits fixed in §§ 1 (2) (a) [cf. §4] or 10 (1) (a) as the case may be. Only those persons who pay contributions for their own insurance shall be held to be members.

62. (1) During the month of April every approved sick fund shall send in to the State Insurance Institution an exact summary of accounts for the previous year, drawn up on a form prepared by the State Insurance Institution. The summary shall be accompanied by the statistical data that the State



Insurance Institution may prescribe, together with a statement whether and how often the state of the funds has been inspected without previous warning.

(2) There shall likewise be enclosed with the summary a declaration issued by a public official or the president of the place in question, to the effect that the cash, savings bank deposits and any other securities, referred to in the accounts, exist and are in good order.

(3) A duplicate of the summary of accounts shall be made available for inspection either at the house of the chairman or at any other convenient place.

(4) If the State Insurance Institution is of opinion, in view of the information sent in, that the fund is working under conditions which offer no security for the members, it may, after procuring suitable proof, require the objectionable conditions to be put right after the matter has been considered in general assembly.

63. (1) Every approved sick fund shall be bound to submit itself to the control which is exercised by the State Insurance Institution in accordance with §41 of the present Act.

(2) When a compulsorily insured person joins or leaves an approved private fund, the board of management of the fund shall immediately notify his employer and the local sick fund of the place where the work was carried on, of the fact. Until notice of resignation is given, he shall be regarded as a member of, and have a claim to benefit from, the approved fund.

64. (1) Approval shall be withdrawn :

(a) If the number of members in the course of three years is shown to be less than the minimum named in §56, subject to the exception provided under §56 (2) ;

(b) If the rules of the fund fail to satisfy the requirements laid down by §55 (c) and (d).

(2) Approval may be withdrawn if the fund in question works under conditions or in accordance with regulations which offer no security for the members, or if the fund, without good ground, objects to measures which the State Insurance Institution may propose in order to remove defects.

65. (1) If an approved sick fund is dissolved, the current liabilities and other legal claims to reimbursement shall first be met.

(2) Thereafter there shall be paid out of the funds, to the local sick fund or funds to which the fund's compulsory members are transferred, a sum, the amount and distribution (if necessary) of which shall be determined by the State Insurance Institution.

(3) If the fund has not funds sufficient to cover the sums contemplated under (1) and (2) the deficit shall be made up by the members of the fund paying extra contributions which shall be fixed by the State Insurance Institution.

(4) If, on the other hand, there is a surplus, this shall be applied in accordance with a resolution adopted by the general assembly and approved by the State Insurance Institution. If there is no occasion to hold a general assembly, the State Insurance Institution shall decide how the funds shall be applied.

(5) Appeal against a decision made by the State Insurance Institution under Sub-sections (2)-(4) of this Section may be made to the State Insurance Appeal Commission by the members of the fund, if at least 25 of them are agreed upon the matter.

CHAPTER X.—*Settlement of disputes.*

## 66. (1) Disputes which may arise :

(a) As regards whether insurance is compulsory for a person under this Act at a particular time, and who should be regarded as the responsible employer, except in the cases named in §§9 (2) and 32 (3) ;

(b) As regards the beginning and ceasing of insurance [§§5, 6, 10, 11, 12 and 13] ;

(c) In connection with a resolution by which a local sick fund has rejected an application for voluntary insurance (§§10 and 11) ;

(d) On the question whether an insured person is placed in the right income class or risk class (§14) ;

(e) Respecting a demand from a local sick fund for a contribution which the person concerned disputes ;

(f) Respecting the employer's deduction of the contributions from wages (§32) or his deduction from the wages in respect of sickness benefit received at the same time (§24) or a voluntary member's claim against his employer for reimbursement [§32 (4)] ;

(g) Respecting eligibility or elections under this Act ;

(h) In connection with a claim for any of the benefits of a local sick fund, contemplated in Chapter V. of this Act ;

(i) In connection with an employer's claim to have sums paid out under §23 of this Act reimbursed ;

(k) Respecting an employer's liability for benefits under §9 (4) and (5), and respecting an insured person's compulsory reimbursements under §26 (2) and (3) ;

shall be brought for investigation after the local sick fund has adopted a resolution on the matter, before a tribunal of three members, who shall be chosen for a term of three years by the communal council of the commune in which the local fund has its headquarters. At least one of the members shall be a member of the standing committee of the commune, one shall be an employer, and one a member of a local sick fund. The tribunal shall elect its own president. The president may be given a suitable remuneration by the communal council, after consultation with the board of management of the local sick fund, for his work and for the expenses connected with the office, which amount shall be paid out of the funds of the local sick fund. A person who has served on a tribunal for three years may refuse to accept appointment for the next three years. More detailed regulations as regards the procedure and decisions of the tribunal shall be issued by the King.

(2) An application to refer to the tribunal a resolution adopted by the local sick fund must be lodged at latest on the 14th day after the day on which the person affected was informed of the local sick fund's decision.

(3) The decision of a tribunal shall be final if the parties have agreed in advance that this shall be so ; in the opposite case, the decision may be referred to the State Insurance Institution within the time limit fixed in §67. The State Insurance Institution's decision on questions of fact shall be final. On the other hand, disputes on matters which are not unmixed questions of fact and which are placed under the jurisdiction of the State Insurance Institution under this Act, may be referred for decision to the courts of justice.

(4) Where a local sick fund alleges that the person concerned is not insured against sickness, and has consequently refused benefit for an industrial accident which comes under the Act respecting the accident insurance of workers in factories, etc., or for injuries which come under the Act respecting the accident insurance of seamen, the matter shall be referred on the application

of any party interested, to the State Insurance Appeal Commission, subject to the time limit prescribed in §67.

67. (1) Disputes which may arise :

(a) Between local sick funds amongst themselves, respecting claims and obligations arising out of the application of this Act ;

(b) Between a local sick fund and the commune concerned, as regards the obligations of the latter over against the fund ; may be referred for decision to the State Insurance Institution.

(2) Application for a dispute to be decided by the State Insurance Institution must be lodged in writing at latest on the 28th day after the decision which is disputed by one party was announced.

(3) Subject to the same time limit, appeal against the decision of the State Insurance Institution may be made to the State Insurance Appeal Commission.

68. (1) A decision to refuse to approve a sick fund or to rescind approval, and disputes arising between a local sick fund or an approved fund and the State Insurance Institution on matters connected with accident insurance, and in which the fund concerned is economically interested, may be referred to the State Insurance Appeal Commission, subject to the time limit fixed in §67.

(2) The provisions of §66 (3) respecting the decisions of the State Insurance Institution shall apply in respect of the decisions of the State Insurance Appeal Commission under this Section and §§55, 65, 66 and 67.

(3) If new facts are brought to light within six months of a decision, in a case which was decided under this Chapter without being brought before the courts of justice, the case may be re-opened in accordance with whatever the State Insurance Institution may provide. If the decision was merely come to by the local sick fund, the fund may reconsider it on its own resolution in that sense.

#### CHAPTER XI.—*Miscellaneous provisions.*

69. (1) Every official who in pursuance of this Act has the opportunity of becoming acquainted with the arrangements and business conditions of an undertaking or business, shall be bound to observe secrecy in respect of what he has learnt in this manner and to refrain from imitating the arrangements or methods kept secret by the owners of the works concerned.

(2) In case of contraventions of this provision, §121 of the general civil penal law of 22nd May, 1902, shall apply, even if the person concerned is not a public official.

70. It shall not be lawful for employers to exclude or restrict the application of this Act by means of agreements or regulations.

71. (1) Arrears of contributions for compulsory insurance and reimbursements under §9 (4), (5), may be collected by distraint in the same manner as is provided for taxes and other public payments, by the business manager of the local sick fund or under the special authority given for the purpose by the authorities by some other official of the fund, or, on the request of the business manager, by the official whose function it is in general to distraint.

The same shall apply to claims referred from another local sick fund for collection under §28 (2).

(2) In the same manner, arrears of contributions for voluntary insurance may be collected from voluntary members.

(3) Approved sick funds shall have the same right as local sick funds to collect arrears of contributions by distraint. This shall be undertaken,



on the request of the board of management of the fund in each particular case, by the official having the function of distraining for communal taxes.

72. (1) In so far as any person, under §32 or §36 of the Act respecting the accident insurance of workers in factories, etc., or under §32 or §36 of the Act respecting the accident insurance of seamen, is bound to pay compensation for an injury caused by an accident, the sick fund concerned shall have a preferential claim to the reimbursement of its expenses in connection with the injury.

(2) The sum payable in these circumstances to a sick fund shall be remitted from the State Insurance Institution.

(3) The liability of a third person to pay damages in respect of an injury entitling to benefit under this Act, but not coming under the first Sub-section above, shall not be affected by this Act; notwithstanding, in this case, the claim of the person entitled to compensation from the third person shall be transferred to the local sick fund to the extent to which the accident involves the fund in expenses. The compensation shall be fixed at the discretion of the court, in one sum paid once for all. If the full amount of the compensation cannot be recovered, the injured person or his survivors shall nevertheless receive such part of the said amount as is due to them, before any part of the local sick fund's claim is covered.

73. Claims for compensation under this Act shall not be lawfully alienable, pledged, or made a subject of seizure, execution or distraint, except as regards the expenditure of the poor law authorities on behalf of the person entitled to compensation or his dependants in connection with the illness to which the claim relates.

74. (1) Fines shall be imposed, in so far as the circumstances do not from their nature involve a more severe penalty, upon any person who fails to hand in, within the time fixed by this Act, the notices, statements or explanations prescribed by this Act (§9), or who gives incorrect particulars of his subordinates' wages or conditions of work, of their entering or leaving his service, or of the time when the work began.

(2) Public proceedings shall only be instituted on the request of the local sick fund concerned or of the State Insurance Institution.

(3) Fines shall be imposed upon any person who is absent from a meeting of the board of management without lawful grounds. Public proceedings shall only be instituted on the request of the board of management or of the State Insurance Institution.

75. (1) In cases arising under this Act, no duties shall be payable to the Treasury under Chapters 1 and 2 of the Act of 6th August, 1897, No. 9.

(2) Witnesses' summons fees shall be paid out of public monies.

76. This Act shall not limit in any way the right to sickness benefits which are payable to workers in the Røros Copper Works under the provisions in force on that matter at any time.

77. The present Act shall come into force on 3rd January, 1916. From the same date the Sickness Insurance Act of 18th September, 1909, and the Amending Act of 1st April, 1911, shall be repealed. All rules of local sick funds already drawn up shall be rescinded from the same date. New model rules shall be prepared by the State Insurance Institution, which shall be applicable in all funds until special rules are drawn up in conformity with §51 (a). Moreover, from the same date, the normal scale now in force shall be repealed, and a new normal scale shall be drawn up by the Government Department concerned. Existing special scales shall be replaced from the same date.

by new ones in accordance with whatever the State Insurance Institution may provide.

Persons who, on 4th December, 1915, were in such employment or service as to make them subject to compulsory insurance under the present Act, shall be held, if they were not already insured, to have entered the employment on that day [§9 (1) and (4)]. From that day the regulations respecting the duty of giving notice in accordance with this Act shall come into force.

In the case of members who were insured before the coming into force of this Act, the provisions on the matter in the old Act of 18th September, 1909, shall apply in respect of confinements taking place in the first ten months after the Act comes into force.

## VIII. Sweden

1. *Kungl. Maj: ts nadiga kungörelse angående förbud mot användande av kvinna under tjugueti år till lastning, stuvning eller lossning av varor a vissa fartyg.* Den 7 april, 1916. (Soc. Medd., 1916, p. 571.)

**Royal Notification respecting the prohibition of the employment of women under 21 years of age in loading, stowing and unloading goods on certain vessels. (Dated 7th April, 1916.)**

1. No woman under 21 years of age shall be employed in loading, stowing, or unloading goods on board decked vessels with a net tonnage of 80 registered tons or more.

2. Employers who employ women on work contemplated in §1, shall be bound to present without delay, on demand, to the competent official of the factory inspection department suitable proof of the age of such women.

3. If an employer contravenes the prohibition contained in §1, he shall be punished by a fine of from 10 Kr. to 500 Kr. inclusive. Where a woman who has been employed in the work in question is under 18 years of age, and if the contravention was committed with the knowledge and consent of her father or guardian, such father or guardian shall be likewise liable to a fine of from 5 to 20 Kr. inclusive.

A person who, during the time when he is under warning for a contravention contemplated in this Section, continues the same contravention, shall, if he is legally convicted of the same, be liable to the fines provided for such contraventions in respect of each occasion when a summons is issued and served.

4. If an employer fails to conform with the requirement contained in §2, he shall be punished by fines of from 5 to 200 Kr. inclusive.

5. Contraventions contemplated in this Section shall be prosecuted in the police court, where such a court is established, and otherwise in the police station; or, where there is no such station, in the general court of justice.

Fines imposed under this Notification shall devolve upon the Crown.

If the full amount of the fines cannot be recovered, they shall be converted in accordance with the general penal law.

6. In the case of undertakings carried on by the State or a commune, what is provided in this Notification in respect of the employer shall apply to the works' manager. This Notification shall come into force on the 10th May, 1916.

2. *Kungl. Maj: ts nadiga kungörelse angående understöd at medellösa arbetslösa samt bidrag av statsmedel därtill.* Den 19 maj, 1916. (Soc. Medd. 1916, 656.)

**Royal Notification respecting the assistance of unemployed persons without means, and contributions from State funds for the purpose. (Dated 19th May, 1916.)**

1. Where out of means placed at the disposal of the commune or the county council (landsting) for the purpose, assistance has been given in accordance with the provisions of this Notification to an unemployed person, the commune or county council

concerned, may, as provided below, receive a subvention from the State towards the assistance thus given.

The State subvention shall be devoted exclusively to the assistance of Swedish citizens of good character living in the country and of their families, on condition that they :

- (1) are over 15 years of age ;
- (2) are capable of work ;
- (3) shall not have received for at least 6 months before applying for assistance, any relief from the poor law authorities, provided that the State subvention may be given also to applicants who have received relief from the poor law authorities within the aforesaid time, if the same was only occasional or given in connection with the illness of the applicant or the members of his family, and also in exceptional cases to applicants who manifestly try, to the best of their ability, to provide for themselves and their dependants, but as a result of specially heavy responsibilities have been obliged to accept relief from the poor law authorities for the necessary maintenance of the family ;
- (4) apply to the public employment bureau but do not procure work ; and
- (5) are found to be in need of assistance in consequence of undeserved unemployment, lasting at least six working days after the application for the same was made.

The State subvention shall not be allowed in respect of any time before the application was made.

2. An application for assistance shall be made to the unemployment and relief committee (arbetslöshets- och hjälpkommitté) set up in pursuance of the Royal Circular of 18th August, 1914, in the commune in which the applicant resides, or if there is no such committee there, to the communal council (nämnd) or the communal authority corresponding thereto.

The application shall be accompanied by a priest's certificate and also, if found necessary, a statement respecting the applicant's trade and in the case of a person in the service of another, the nature and duration of the last employment as well as the employer's name. The latter statement shall be drawn up either by the employer or by the trade union or similar organisation concerned or else by two persons well-known in the place.

If the applicant is not domiciled in the commune and if for that reason he has not received assistance in pursuance of §§7 or 8 below, the committee or communal authority concerned may refer him for the purpose of applying for assistance to the commune in which he has his domicile.

3. When the application for assistance is received, the committee or communal authority concerned shall in the first place endeavour to provide the applicant with a suitable opportunity for maintaining himself through his own work. If this proves impossible, the committee or communal authority shall, after having collected any further information which may be found necessary, and after a careful inquiry into the degree of the applicant's need, decide without delay whether, and if so, to what amount, from what date and in what manner, assistance shall be given.

In estimating the applicant's need, account shall not be taken of such resources as movable property or tools, or in the case of savings or the possession of his own home, of anything except the proceeds derived therefrom.

If the applicant receives an allowance from the employer or from an unemployment fund, he may nevertheless be allowed assistance, but only to such an extent as together with the said allowance will amount to as much as two-thirds of the locally current wage for workers of the same skill and doing similar work to the applicant.

4. Assistance granted shall be distributed through the committee or communal authority concerned and, according to circumstances, may consist in ready money or wholly or partly in kind, such as food, tools, articles of clothing.

5. If a person receiving assistance procures work, the assistance shall cease. If he becomes unemployed again, the date from which and the extent to which assistance shall be granted to him again, shall depend upon the results of the investigation of the case.

6. If it appears that a person receiving assistance is not living an orderly and sober life, the committee or communal authority concerned may decide to discontinue the assistance granted to him.

A person receiving assistance, who shall report himself at times fixed for the purpose at the public employment bureau of the place, shall be bound to accept work found for him through the employment bureau, and likewise to notify the bureau of any work he may have procured otherwise, and of his departure from the place in the event of his deciding to leave. Persons receiving assistance shall likewise be bound, on the in-



structions of the committee or communal authority concerned, to take part conscientiously in suitable courses which may be arranged for training the unemployed. If a person receiving assistance fails to observe this rule, the committee or communal authority concerned may also in this case discontinue the assistance.

The assistance may in the case here contemplated be discontinued, according to circumstances, wholly or in part, and until further notice or for a certain time or finally.

7. Assistance shall as a rule only be given to applicants who have their domicile within the commune, but may be granted to other persons on condition that they have a permanent abode in the commune and may be taken to have greater opportunities for maintaining themselves there than in the commune of domicile.

If assistance is refused to a person here contemplated, but it proves reasonable to provide the means for his journey to his commune of domicile, the State shall contribute one-half of the expense in question.

8. If a person whose domicile is not in the commune where he is living, is refused assistance in the latter commune, the same may, if this appears reasonable, be given him by the unemployment and relief committee set up by the said Circular, for the district (län) [district relief committee], and in this case likewise the assistance shall be provided from State funds under the conditions and on the principles stated above.

9. Assistance from State funds shall be allowed for each case to the same amount as that of the assistance granted to him from the funds set aside for this purpose by the commune or the county council, but shall not exceed:

75 öre a day for a man and his wife together;

50 öre a day for a single person over 18 years of age;

30 öre a day for a single person over 15 but under 18 years of age;

and 15 öre a day for every child whether legitimate or illegitimate;

there being taken into consideration in this connection partly the principle that assistance from State funds should be paid only in exceptional cases, and after each case has been investigated by the committee or communal authority concerned, to unemployed persons who have no family responsibilities, and partly that, if a male breadwinner as contemplated in §1 procures work in pursuance of §§3 or 6, in a place other than that where he has his home, at wages which are inadequate to maintain the family at home as well, the assistance from State funds may, after the investigation to which reference has just been made, be granted in respect of all the members of the family living at home, at a rate not exceeding 50 öre a day, or if there are children or in specially painful circumstances, 75 öre a day.

If the committee or communal authority concerned consider in exceptional cases, in view of special circumstances, that assistance from State funds is necessary for assisting unemployed persons, although no subsidy of the corresponding amount is at the disposal of the commune or county council, application for such assistance may be made to the King.

10. Assistance and also the travelling expenses mentioned above shall be advanced by the committee or communal authority concerned, and reimbursed out of State funds, to the amount which, in pursuance of the principles stated above, is payable out of such funds, but only on condition that what is paid out to the applicant from communal funds in this respect is not to be regarded as poor law relief.

The committee or communal authority concerned shall have the right after the conclusion of every month to procure a subsidy from State funds for the assistance paid but during the month. Application for the payment of the said subsidy shall be sent by the committee or communal authority to the district relief committee concerned, and shall be forwarded by the latter committee with its comments to the King's Lieutenant in the district, to which authority the district relief committee shall also apply for a State subsidy to cover the assistance which is granted under §8. The King's Lieutenant shall thereupon, in pursuance of the above provisions, consider whether a State subsidy is payable, and if occasion arises determine its amount and issue the same to the committee or authority which granted the assistance. In considering the matter, strict care shall be taken to see that where assistance is provided in kind, an unreasonable value is not attributed to it.

This Notification shall come into force on the day following that on which, in accordance with instructions to that effect, it appears in print in the Swedish Collection of Laws (Svensk författnings-samling).

3. *Lag om ändrad lydelse av 13, 16 och 41 §§ i lagen om arbetarskydd den 29 juni 1912. Den 17 juni, 1916. (Soc. Medd., 1916, 780.)*

**Act to amend §§13, 16 and 41 of the Act of 29th June, 1912,\* in regard to the protection of labour. (Dated 17th June, 1916.)**

\* Text E.B. VIII., p. 84.

Sections 13, 16 and 41 of the Act of 29th June, 1912, in regard to the protection of labour,\* shall read as follows :

13. With regard to the employment of minors in mines, iron works, and factories, in handicrafts or other industrial work, or in building operations, although not coming under the heading of industrial work, the following regulations shall apply :—

(a) A minor's working hours shall not exceed 6 hours per diem, or 36 hours a week, for a minor under 13 years of age ; 6 hours per diem or 48 hours a week, for a minor over 13, but under 14 years of age ; 10 hours per diem or 60 hours a week, for other minors.

Should the regular course of work be interrupted by some natural cause, or by an accident, exemption from this regulation may be granted as regards minors over 14 years of age, by the competent factory or mine inspector for a maximum of one month, and by the Chief Inspector of Factories for a maximum of four months.

(b) Should the minor, with the knowledge of his employer, take part in a course of instruction such as is contemplated in §10, the employer must, in the case of a minor under 15 years of age, reduce his working hours so that the total time of instruction added to the day's work shall not exceed the permissible number of working hours under (a) of this Section.

(c) The minor's work shall be broken by suitable and, as far as the nature of the work permits, by regularly recurring intervals for rest. During these intervals the minor shall not be allowed to remain in any workshops in which the air, by reason of the nature of the work, is contaminated by substances injurious to health ; where this is the case, the employer shall provide another suitable room where the minor can remain during these intervals, and where he may take his meals.

(d) A minor shall not be employed in work between the hours of 7 p.m. and 6 a.m. ; male persons over the age of 16 years may, however, be employed during these hours provided that their working hours are limited to a maximum of eight hours per diem, and that the work shall either not fall between the hours of 11 p.m. and 5 a.m. more often than every third week, or, as regards the times of the day in which it is carried out, shall be arranged in a manner which is recognised by the competent inspector of factories or mines as equivalent to the before-mentioned rule.

16. As regards such work as that contemplated in §15, and which, for technical reasons, must be continually carried on both day and night, or which must at certain times be expedited, the King may, as far as may be found expedient, grant exemptions for minors of the male sex above the age of 16, from the prohibition contained in §13 (d), beyond the exemptions there provided.

In the case of work in connection with the turning and stacking of peat, or similar light work, which is carried on in the open air and not regulated in conjunction with working processes carried on by mechanical power, the King may allow exemptions both from the prohibition contained in §9, second paragraph, and also from the provisions of §15.

41. In granting such exemptions as are contemplated in §16, second paragraph, the King may at the same time allow exemptions from observance of the rules laid down in §§33 and 35.

In cases such as those contemplated in §17, the King may direct that the provisions of §§33-36 shall apply to a greater or lesser extent likewise to minors who are employed in work other than that contemplated in §15.

\* Text E.B. VIII. p. 84.

The King may also require that the provisions contained in §§30 and 37 shall be extended in order to include workplaces other than those to which those Sections refer.

This Act shall come into force on the day following that on which, in accordance with instructions to that effect, it appears in print in the Swedish Collection of Laws (Svensk författningssamling).

*Lag om utsträckt rätt att i visst arbete använda manliga minderåriga av vis ålder.* Den 17 juni 1916. (Soc. Meddelanden 1916, 781.)

**Act respecting the extended right to employ male minors of a certain age in certain work.** (Dated 17th June, 1916.)

Where in pursuance of the last paragraph of the transitory provisions of the Act respecting the protection of labour, dated 29th June, 1912,\* the hours of work of minors in any workplace up to the end of the year 1915, were extended in the manner allowed in §8, paragraph 1 of the Act of 17th October, 1900, respecting the employment of minors and women in industry, minors of the male sex over 16 years of age may be employed in such workplaces, up to the end of the year 1917, in conformity with the provisions contained in the said Act.

This Act shall come into force on the day following that on which, in accordance with instructions to that effect, it appears in print in the Swedish Collection of Laws (Svensk författningssamling).

*Lag om försäkring för olycksfall i arbete.* Den 17 juni 1916. (Svensk Författningssamling 1916, Nr. 235; Soc. Meddelanden 1916, 754).

**Act respecting insurance against industrial accidents.** (Dated 17th June, 1916.)

#### *General Provisions.*

1. Every worker, where nothing to the contrary is provided below, shall be insured under this Act against injuries resulting from industrial accidents.

The cost of the insurance shall be met by insurance premiums paid by the employer, together with a grant from State funds towards the working expenses.

2. Within the meaning of this Act a worker shall be held to be any person who is employed for wages on work on account of another in such a manner that in his relations with the latter he cannot be regarded as an independent contractor, and also any person who in order to procure training in the trade performs such work without remuneration. An employer shall be held to be any person on whose account such workers are employed on work, provided that no third person stands between them who has undertaken to see to the performance of the work in the capacity of an independent contractor.

Persons shall not be held to be workers under this Act who perform work in their own homes or in workplaces determined by themselves, nor the employer's children and parents in their relations with him, nor persons whose remuneration received from the employer exceeds five thousand kronor reckoned by the year, nor minors under 12 years of age, nor persons casually employed in work by someone who employs no other workers.

\* Text E.B. VIII., p. 84.



3. The King may exempt from the application of this Act workers who are employed in work on account of the State or the commune and who in view of their work are ensured compensation for industrial accidents which appears to correspond in essential respects to the compensation granted under this Act.

4. The insurance shall be affected through the State Insurance Institution ; provided that where a mutual accident insurance society is formed for this purpose, whose members are employers, and for the liabilities of which such members are responsible with unlimited personal liability, the insurance of the workers of the members may be effected through the society instead.

Insurance in a society as contemplated above shall include all the workers employed by the member in the trade, undertaking, or other occupation coming under the insurance.

5. Objections and applications contemplated in §33 shall be dealt with by an Insurance Council appointed for the whole Kingdom, which shall in all other respects also pay careful attention to the application and development of the insurance.

The principles on which the Insurance Council shall be organised and worked shall be determined by the King and Parliament.

#### *Compensation.*

6. Where a worker is injured as the result of an industrial accident he shall receive as compensation, in pursuance of the insurance :

(1) If the accident causes illness which results in loss or diminution of his capacity for work during more than thirty-five days after the day of the accident, from the thirty-sixth day inclusive, and for so long as the illness lasts :

(a) The necessary medical attendance and medicaments and other appliances necessary to increase the capacity for work, such as crutches, simple artificial limbs, glass eyes, etc. ;

(b) Money benefit for each day amounting in the case of loss of capacity for work to two-thirds of the injured person's daily earnings ; and in the case of diminished capacity for work to such smaller sum as corresponds to the said diminution, provided that money benefit shall not be payable unless the capacity for work is reduced by at least one-fourth ;

(2) If the accident, after the conclusion of the illness caused by it—whether this has lasted thirty-five days since the accident or not—results for a longer or shorter time, in permanent loss or diminution of his capacity for work :

A life annuity for such time amounting in the case of loss of capacity for work to two-thirds of the injured person's annual earnings, and in the case of diminished capacity for work to such smaller sum as corresponds to the said diminution ; provided that a life annuity shall not be payable unless the capacity for work is reduced by at least one-tenth. If the injured person makes application to that end, the Insurance Institution may, if special reasons are present, resolve that instead of the life annuity or some part thereof, he shall be given a capital sum once for all, to an amount corresponding at most to the capital value of the life annuity or the part of the life annuity reckoned in accordance with the bases of calculation applicable.

If in the case of illness medical attendance cannot be provided without undue difficulty or expense, other reasonable provision may be made for the injured person instead.

7. If the accident results in the death of the worker, compensation shall be provided as follows :

(a) Funeral benefit amounting to one-tenth of the deceased person's annual earnings, but not less than 60 kronor ;

(b) Life annuities for the dependants, as follows :

For the widow or widower, if the marriage was contracted before the accident, a life annuity from the death for so long as the annuitant remains unmarried, amounting to one-fourth of the deceased person's annual earnings ;

For every child under age of the deceased person whether legitimate or illegitimate, a life annuity from the death until the child in question reaches the age of 15, amounting to one-sixth of the earnings ; and

For the deceased person's father or mother, or if both are alive, for them jointly, if they are mainly dependent for their maintenance upon the deceased person's work, and if there are no other persons entitled to life annuities, a life annuity amounting to one-fourth of the earnings ;

Provided that if the life annuities for dependants, calculated by the year, together would exceed two-thirds of the deceased person's annual earnings, they shall be reduced in proportion to the amounts due to each annuitant, down to the said fraction, for so long as the cause for such reduction continues, and provided that no annuity shall be payable to a widower if he neglected in essential respects his duty to maintain his wife, or neglected in essential respects his duty to maintain his legitimate children. Where for the reason here contemplated no annuity is payable to the widower, the Insurance Council may resolve that the annuity shall instead be paid to the children under age of the deceased person.

A widow or widower in receipt of a life annuity, who contracts a fresh marriage while under 60 years of age, shall be given a capital sum once for all, amounting to three-fourths of the deceased person's annual earnings.

8. In estimating to what extent a certain bodily injury has caused a diminution of capacity for work, account shall be taken not only of the nature of the injury and its effect upon the injured person's general capacity to support himself by work, but also of the effect of the injury upon the special skill which may be necessary in order to carry on his trade, and also of his age and sex. If the injured person was afflicted at the time of the accident with a bodily defect or infirmity, account shall be taken of that fact also.

9. The annual earnings contemplated in §§6 and 7 shall include all the remuneration (including shares in profits, if any) which the injured person has received during one year, reckoned backwards from the date of the accident, from the employer in the undertaking in which the accident occurred. If for a period of more or less duration during the year, the injured person was not employed on work by the employer, or if for any part of the year the remuneration cannot be determined on account of defective information or for some other reason, the remuneration for such period shall be estimated at whatever amount shall seem reasonable in view of the remuneration paid in the locality for a corresponding period to a worker of the same skill, and engaged on work similar to that of the injured persons, or otherwise in view of the circumstances. The same rule shall apply where the injured person for any part of the year, as a result of occasional overtime or other special conditions, has received an essentially higher remuneration, or, in consequence of sickness or for other undeserved reasons, has achieved essentially lower wages than such a worker, or if at the time of the accident his capacity for work was already diminished in consequence of a previous industrial accident, and also where the injured person was employed for purposes of training or casually

in the work during which the accident occurred, or if the injured person is under age.

If the remuneration consists wholly or partly in kind, the value of the same shall be estimated in accordance with the prices prevailing in the place where the work was carried on or on any other basis which seems reasonable.

If the annual earnings exceed 1,800 kr. the amount in excess shall not be taken into account. If the annual earnings are less than 300 kr., they shall be held to amount to that sum.

The daily earnings contemplated in §6 (1) shall be held to be one three hundred and sixty-fifth part of the annual earnings calculated in accordance with the principles given above.

10. The insurance institution in which the injured person is insured in pursuance of §4 shall have the right at any time, even before the conclusion of the period contemplated in §6 (1), and for so long a period as may be considered reasonable, to arrange for him to be treated in a hospital. Notwithstanding, the injured person shall not be taken to a hospital without his consent unless, according to a medical certificate, the injury necessitates treatment in such an institution.

Where the injured person has been admitted to a hospital, the insurance institution shall have the right to retain not more than one-half of the money-benefit which is payable to him by the institution during the period of hospital treatment, in order to cover the cost of the said treatment.

The insurance institution shall also have the right for a certain time to give compensation in kind instead of the life annuity or part thereof to an annuitant who is addicted to drink, and also to arrange for annuitants who give their consent thereto, to be maintained in homes for the aged, or for children, or other such establishments.

11. Where an employer, in accordance with another law or special provisions, or in pursuance of his own pledge, is bound, in the case of injuries caused by industrial accidents, to make an allowance in the form of wages, pension, or other maintenance, or if any such allowance is payable by a fund or pension institution, or in pursuance of insurance in an institution other than those contemplated in §4, whatever is thus allowed in connection with the accident for a corresponding purpose, by the employer, fund, or pension institution, or in pursuance of such insurance, shall be deducted from the money-benefit, life annuity, funeral benefit, or other compensation which is provided under this Act, for the period during which the compensation is payable. Notwithstanding, such deduction shall only be made if the employer, in view of the allowance, procures relief under §15, second paragraph, from insurance premiums, and in the case of an allowance from a fund or pension institution or in pursuance of insurance, only if the employer meets entirely, or contributes to the extent of at least one-third towards, the cost of the allowance, and the amount deducted shall not exceed such sum as corresponds to the employer's contribution. In the case of an allowance for sickness which is payable by the employer, even though the corresponding relief from insurance premiums has not taken place, the deduction shall be made to the extent to which the said allowance has been duly made by the employer, and the employer shall have the right to receive from the insurance institution what was deducted from the compensation under the Act, in view of the allowance thus paid.

No deduction shall be made in respect of pension bonuses, or of allowances under the Act respecting general pension insurance, or of allowances from a seamen's home, or other such allowances provided only for the indigent.



If the injured person receives an allowance in kind, such as lodging, free board, or such like, the amount to be deducted in respect thereof shall be estimated in accordance with the prices prevailing in the place where the work is carried on, or on some other basis that may be found reasonable.

12. If any person has a right to compensation under this Act he shall not be prevented thereby from making good a claim to damages beyond the compensation to which he may be entitled in consequence of an accident, under the common law or special regulations.

What the insurance institution has paid out under this Act shall be reclaimed by the institution from the employer, if he caused the injury by his own act, or from any other person who caused the injury, unless such person suffers injury himself, and is in consequence thereof entitled to compensation under the Act.

13. When the insurance institution has received information of an accident, the institution shall, even though no application for compensation has been made, decide upon the measures necessary for the care of the injured person, and also determine the compensation payable under this Act. If the compensation cannot be determined at once by means of the documents available, a reasonable sum shall be granted provisionally, without the person receiving the same being liable to make any reimbursement in the event of the compensation being fixed later at a lower amount, or if it is found that no compensation is payable.

If, after the compensation payable to the injured person has been fixed by the insurance institution, any essential change takes place in the circumstances in view of which the compensation was fixed, the compensation may be re-adjusted. Such re-adjustment shall not affect compensation in respect of any period before the day on which application for revision was made, or, if the re-adjustment was decided upon by the institution without any application, before the day on which such decision was made.

A decision respecting compensation shall be communicated to the person entitled thereto as promptly as possible, and, without prejudice to the lodging of an objection, shall stand until further notice.

14. Funeral benefit, as well as capital sums under §§6, 7, and 27, shall be paid out as soon as possible, and the money benefit for each calendar week, on the last day of the week. Life annuities shall be paid for each month reckoned from the day when the right to a life annuity began, on the first day of the month, without the persons concerned being liable to make any reimbursement in respect of a month during which the right to the annuity ceases or the annuity is reduced. Notwithstanding, money benefit and life annuities may, with the consent of the recipient, and without rendering him liable to make any reimbursement, be paid at longer intervals than those here contemplated. If a fraction of an öre appears in determining the amount to be thus paid out, the amount granted shall be the next higher number of öre.

If the compensation is not collected before the end of the year following that during which it was due to be paid, the right to receive the same shall be forfeited.

The King shall determine the manner in which the compensation shall be paid.

#### *Insurance Premiums.*

15. The insurance premiums under this Act, whether the insurance covers one or many workers, shall be fixed by the insurance institution at an amount which, in view of the danger involved in the work in general and the special conditions under which it is carried on, proves, in accordance with the

technical principles of insurance, to be necessary to cover the risk contemplated by the insurance, as well as, in the case of insurance in a society as contemplated in §4, an amount corresponding to the working expenses of the insurance, and the premiums may accordingly be raised or lowered in proportion to any changes in the insurance risks or working expenses which may take place.

Where an employer, fund, pension institution, or insurance institution is bound to make an allowance in respect of which a deduction may be made under §11, the insurance premiums shall be fixed at a lower amount corresponding to the reduced insurance risk; provided that, in the case of employers other than the State, no such relief from insurance premiums shall be allowed unless the employer so demands, nor unless, if this is found necessary, security for the provision of the allowance is given to the satisfaction of the insurance institution.

16. In order to meet the working expenses of the Insurance Council and the State Insurance Institution, a supplementary premium at the rate of 5 per cent. of the insurance premiums, calculated without reference to the deductions contemplated in §11, shall be paid to the State in respect of each person insured in the State Insurance Institution.

An insurance society, as contemplated in §4, shall also be bound to pay to the State a contribution towards the said expenses. The contribution shall be paid for each financial year after the conclusion of the year, at a time and in a manner which shall be determined by the King, and to an amount equal to 3 per cent. of the total of the insurance premiums, calculated without reference to the deductions contemplated in §11, for the insurances undertaken by the society during the financial year.

The remaining working expenses of the Insurance Council and the State Insurance Institution shall be met out of State funds.

17. The employer shall be bound, whenever a request to that effect is presented, to furnish the Insurance Council, and, if the insurance is effected through the State Insurance Institution, also the said Institution, with such particulars of the work and conditions under which it is carried on, as well as the number of workers, their hours of work, and wages, as may be necessary to determine the insurance premiums or compensation.

In so far as may be necessary for the purpose of determining the insurance premiums and compensation, the State Insurance Institution shall have the right to refer to the employer's wages lists and registers, and to require the authorities who exercise supervision over the employer's undertaking in pursuance of provisions in force, to investigate the conditions under which the work is carried on, or to undertake such an investigation itself if special haste is necessary, or in the case of undertakings for which there exists no inspecting authority. The Insurance Council shall possess this power likewise.

18. Persons who, in the exercise of their duties on behalf of the State Insurance Institution or the Insurance Council, have or have had to deal with the information, documents, or inquiries contemplated in §17, shall be bound not to reveal trade secrets, nor shall they, unless this can be regarded as necessary in the interests of the service, divulge the working arrangements or affairs of workplaces in connection with which they are or have been engaged in the manner here contemplated.

19. A resolution of the State Insurance Institution respecting the amount of the insurance or supplementary premiums shall, even if the amount is only provisionally fixed, stand until further notice, without prejudice to the lodging

of complaints. If the premiums are reduced, or relief from premiums is granted, the amount paid in excess shall be reimbursed.

The King and Parliament shall determine the time and manner of paying the insurance premiums to the State Insurance Institution. Premiums which are not paid at the prescribed time shall be advanced out of State funds and collected in the manner enacted for the collection of outstanding taxes due to the Crown.

The insurance premiums shall be paid into a fund which shall be administered in accordance with principles laid down by the King and Parliament.

### *Notification and Investigation of Accidents.*

20. When a worker contemplated in this Act is injured as a result of an industrial accident, the employer or the person who manages the work on his behalf shall be notified thereof without delay. If medical attendance is not provided by the insurance institution for the injured person, he must submit himself to the treatment and instructions of the medical man who may be called in by the employer or works' manager.

21. If the accident has, or may reasonably be expected to have, consequences which will necessitate the payment of compensation under §§6 or 7, the employer or works' manager shall be bound, as soon as he is informed of the accident by the injured person or otherwise, to send without delay to the insurance institution in which the injured person is insured under this Act, a written notice in accordance with a form to be drawn up by the State Insurance Institution.

At the same time as the notice, or, if this is impossible, as soon as possible thereafter, the employer shall be responsible for sending to the insurance institution, but at the cost of the said institution, a medical certificate in accordance with a form to be drawn up by the medical board (*medicinalstyrelsen*) showing the nature of the injury and the injured person's condition, or, if the accident results in death, showing the cause of the death; if a medical certificate cannot be procured without undue difficulty or expense, a certificate may be presented instead signed by the priest or other official in the place, by the chairman of the communal assembly (*kommunalstämma*), or the chairman or a member of the communal board (*nämnd*), or a member of the district board (*häradsnämnd*).

The police authority of the place shall as soon as possible institute an inquiry into the accident, if such an inquiry is desired by the insurance institution or the Insurance Council, and to send to the institution or the Council a report on the inquiry; if a police inquiry is not desired, an inquiry shall only be held if the police authority considers it necessary.

Under this Act the police authority shall mean the sheriff (*länsman*) in the country, and, in a town, the magistrate, the town board, the police court, or chief of police.

22. Where the accident occurs during a journey outside the kingdom, notice of the accident shall be given to the Insurance Institution or to the Swedish Consulate, where the notice can be presented the earliest. Where notice has been given to the Swedish Consulate, the necessary investigations shall be undertaken as promptly as possible by the said consulate, and the documents and report relating to the case shall then be sent to the Insurance Institution.



23. The Insurance Institution and the Insurance Council shall have power, for the further elucidation of any matter touching the application of any of the provisions of this Act, to arrange for witnesses or experts to be examined before the general court of justice.

*Miscellaneous Provisions.*

24. If the accident was caused by the deliberate act of the injured person, no compensation shall be payable under this Act. Moreover, if an accident resulting in the death of the injured person was caused by the deliberate act or gross negligence of the dependants, no compensation shall be payable to them.

25. If the accident was caused by the failure of the injured person to observe orders or regulations in force respecting measures for the prevention of accidents, and the circumstances are such that he must in consequence be held to have been guilty of gross negligence, or if the accident was caused by the injured person being intoxicated by strong drink, the compensation may be correspondingly reduced in accordance with §6.

The same rule shall apply if the injured person has failed to observe an order or regulation respecting treatment in a hospital or medical attendance, issued in pursuance of this Act, and also if, through the neglect of the injured person, particulars of the accident are not furnished in pursuance of §20; provided that the compensation shall not be reduced, if the injury was not aggravated in essential respects by the injured person being deprived of proper attendance as a result of the said offence.

26. Where any person who is insured under this Act is lost on a journey or otherwise, and if all news of him has ceased, and if it can be reasonably assumed that he has been killed in consequence of an industrial accident, a dependant contemplated under §7 (b) shall have the right to receive a life annuity from the insurance institution in which the insurance was effected, in accordance with the principles respecting annuities for dependents contained in the same Section.

The insurance institution shall have the right to require such a dependant, as a condition for the payment of an annuity, to make a declaration on his oath and conscience, to the effect that he has no information respecting the insured person. In the case of a person under age, such declaration may be required from the guardian.

The right to a life annuity shall cease if the insured person is found to be alive or to have died otherwise than in consequence of an industrial accident.

27. Where any person who is entitled to money benefit or a life annuity under this Act is not a Swedish subject, and if he does not reside in the Kingdom, the insurance institution shall have the right with his consent, at any time whatsoever, to give him instead of such compensation a capital sum once for all, amounting to not more than fifty and not less than twenty per cent. of the capital value of the compensation calculated in accordance with the principles in operation for the institution. In addition, without the consent of the recipient, the compensation may be commuted for a capital sum amounting to 50 per cent. of the capital value. Where compensation has been commuted for a capital sum the right to any further compensation in consequence of the accident shall expire.

Where death results from the accident, and if the deceased person was not a Swedish subject and not resident in the Kingdom, funeral benefit under §7 shall only be paid if the accident results in death within three months, and life annuities or capital sums under the same Section for dependants who are

not Swedish subjects shall only be allowed if such persons were living in the Kingdom at the time of the accident

The King shall have power, in case of reciprocity, to allow exceptions to the provisions contained above in this Section, for the subjects of certain countries.

28. An insurance society contemplated in §4 shall be bound, in respect of every year within eight months after the conclusion of the year, to furnish to the State Insurance Institution in accordance with a form to be drawn up by the Institution, particulars of the employers who have been members of the society during the year, and the workers employed by them, who were insured in the society during the year, and respecting industrial accidents which have occurred, and also at any time, on the request of the Institution or of the Insurance Council, to furnish particulars of the members or workers or of accidents. The society shall also be bound to furnish exact particulars of the fact to the State Insurance Institution when new members join or any members leave the society.

29. The King shall prescribe the principles for the calculation of insurance premiums and the premium reserve for insurance in the State Insurance Institution.

As regards the principles of calculation for insurance societies contemplated in §4, and also as regards the operations of such societies, the provisions respecting mutual insurance societies contained in the law relating to the insurance business shall apply in so far as nothing special is prescribed in this Act.

30. If a contract is made respecting compensation under this Act, contrary to what is provided in §§10, 14 or 27, the contract shall be void in respect of a person entitled to compensation.

31. The right to compensation under this Act shall not be transferable and shall accordingly not be subject to seizure for debt.

32. The more detailed provisions which may be found necessary, beyond the contents of this Act, for the administration of the Act, shall be issued by the King or, with the King's authority, by the Insurance Council or the State Insurance Institution.

### *Appeals.*

33. Objections to a decision of the State Insurance Institution or insurance society contemplated in §4 touching the compensation or respecting the application of any provision of this Act, may be brought before the Insurance Council in the form of an appeal, which shall be handed in to the Council or forwarded to the Council by registered letter through the ordinary post, at latest on the thirtieth day after the decision was communicated to the applicant, not including the day on which this occurred.

Any person who desires the alteration of a form prescribed by the State Insurance Institution or of any general regulation issued by the Institution in pursuance of this Act, shall have the right to make application on that behalf to the Insurance Council.

The Insurance Council shall have the right, even if no objection is lodged or application made, to bring forward any matter contemplated in this Section for investigation.

The decision of the Insurance Council shall be issued without fee.

No appeal shall lie from the decisions of the Insurance Council.

*Penalties.*

34. If any employer or works manager fails to carry out any duties laid upon him under §§17, 21 or 22, or neglects to furnish any information as provided in §28, he shall be punished by fine.

Any person who gives particulars known to be incorrect in furnishing the information required under this Act, shall be punished by a fine of from 25 to 1,000 Kr. inclusive, unless a penalty is provided for the offence by the general penal law.

Any person who is guilty of an offence contemplated under §18, shall be punished by a fine of from 25 to 1,000 kr. If such act is committed with the intention of doing injury, or if the person in question makes use of his knowledge of trade secrets, working arrangements or business affairs for his own benefit or that of another, he may be sentenced to imprisonment. If it appears from the circumstances that he became acquainted with trade secrets, working arrangements or business affairs at a time when he had not to deal with the information, documents or inquiries contemplated in §17, or that the disclosure of the working arrangements or business affairs could not have caused injury to the undertaking carried on in the workplace, he shall not be held to be responsible or required to pay compensation. A public prosecution of the offences here contemplated shall only take place on the accusation of the injured party.

Fines imposed under this Act shall be paid into the fund mentioned in §19, third paragraph. If the full amount of the fine cannot be paid, the penalty shall be converted in conformity with the general penal law.

*Voluntary Accident Insurance.*

35. Employers shall be entitled to insure in the State Insurance Institution both other workers than those contemplated in this Act as regards industrial accidents, and workers insured against industrial accidents in the Institution as regards the time mentioned in §6, during which no money benefit is payable by the State Insurance Institution, and also the same workers against accidents not connected with the work. Such insurance may also be undertaken by societies contemplated in §4 in respect of the workers employed by their members.

Where insurance is effected as contemplated above, the provisions of this Act, where appropriate, shall apply.

No contract respecting other insurance or insurance to a higher amount than that provided in this Act, shall be concluded by the State Insurance Institution or a society contemplated in §4, without prejudice to the right of the State Insurance Institution to undertake the insurance of fishermen against accidents, in pursuance of the special provisions on this matter.

*Transitory Provisions.*

36. The Act respecting compensation for injury caused by industrial accidents, dated 5th July, 1901,\* and also those provisions contained in the Act respecting liability for injuries resulting from the working of railways, dated 12th March, 1886, which relate to the liability of the owners or managers of railways to pay compensation, where in consequence of the working of a railway, workers who are employed in service or work for the railway are killed or injured in the discharge thereof, shall be hereby repealed.

37. Until a special Act respecting sickness insurance is introduced, workers coming under this Act shall have a right to receive compensation from the employer in accordance with the principles laid down as regards com-

\* Extract G.B. I., p. 307.



pensation in case of illness in §6, where they contract an illness caused by an industrial accident, during the thirty-five days immediately after the day of the accident for so long as the illness lasts;

Provided that the daily money benefit shall be fixed at the following amounts:—

(a) One krona, if the injured person is charged a pension premium of 3 kr. under the Act respecting general pension insurance or if no premium is charged;

(b) One krona twenty-five öre, if the pension premium amounts to 5 kr.;

(c) One krona seventy-five öre, if the pension premium amounts to 8 kr.;

(d) Two kronor, fifty öre if the pension premium amounts to 13 kr.;

And provided also that no money benefit shall be payable unless the illness lasts for more than three days after the day of the accident.

In the matter of the compensation contemplated above, the provisions of §§10, 11, 12, 13, 14, 20, 24, 25, 30 and 31, shall apply correspondingly.

If the injured person, in consequence of the bankruptcy of the employer or for some other reason, does not procure the compensation, the same shall be paid in the employer's stead by the insurance institution in which his workers are insured under §4, and the institution shall have the right to re-claim such outlay from the employer. Any loss which the State Insurance Institution may incur as a result of this provision shall be made good out of State funds.

This Act shall come into force on 1st January, 1918; provided that a claim for compensation in respect of an accident which occurred before that date shall be decided under the old Act. The requirements of §17, first paragraph, shall likewise not apply before the rules relating to the freedom of printing have been amended in such a manner that the information contemplated in the said provision receives the necessary protection from unsuitable publicity.

6. *Kungl. Maj:ts nadiga kungörelse angående bidrag av statsmedel till täckande av viso del av resekostnader för medellösa arbetssökande.* Den 30 juni 1916. (Soc. Meddelanden, 1916 p. 940.)

**Royal Notification respecting subsidies from State funds in order to cover a certain part of the travelling expenses of persons without means seeking work.**  
(Dated 30th June, 1916.)

1. A public employment bureau which has advanced or paid for the railway journeys of persons without means seeking work, in order that they may enter situations found for them through a bureau in another part of the kingdom, may receive a subsidy from State funds in order to cover one-half of the travelling expenses referred to, provided that:

(1) When the journey began an agreement had been made as regards the engagement or might reasonably be expected to be concluded;

(2) Ready money was not paid for this purpose to the person seeking work, but that he was given a railway ticket (third class) for the journey, on behalf of the bureau;

(3) The cost of the ticket was not less than one krona;

(4) Where the ticket costs more than 15kr. the part in excess thereof shall not be taken into account in calculating the amount of the State subsidy.

2. An employment bureau which desires to participate in such a State subsidy as is contemplated in §1, shall, after the conclusion of each quarter during which expenses of the kind in question have been incurred, present to the Social Department an application for the granting of a subsidy, addressed to the King.

The application shall be accompanied by a statement drawn up by the manager or cashier of the bureau and confirmed by the president of the board of management of the bureau or some other suitable person, giving for each separate case in respect of which a subsidy is requested :

- (1) the name and trade of the person seeking work ;
- (2) the cost of the ticket and the amount of the subsidy required ; and
- (3) other information touching the conditions laid down in §1.

After examining applications thus made, the Social Department shall transmit them as soon as possible for consideration to the King, together with its own opinions.

3. Subsidies granted shall be paid out to the employment bureau concerned by the Social Department.

4. More detailed regulations which may be found necessary beyond what is here provided, shall be issued by the Social Department.

7. *Kungl. Maj:ts nadiga kungörelse angående understöd av statsmedel till befrämjande och organiserande av den offentliga arbetsförmedlingen i riket.*  
Den 30 juni 1916. (Soc. Meddelanden, 1916 ; 941).

**Royal Notification respecting grants from State funds towards the encouragement and organisation of public employment bureaux in the Kingdom. (Dated 30th June, 1916.)**

1. Grants may be made to employment bureaux, established by the county councils (landsting), economic unions, and communes and other institutions, either individually or in co-operation, provided that :

the employment bureau deals with all sorts of work for both men and women, and also, as a rule, does not involve either the employers or workers using it in any special expenses ;

in carrying on its work the bureau endeavours, first and foremost, to provide the employers with the best possible workers, and to secure for the workers the work for which they are best suited ;

the bureau is managed by a board consisting, on the one hand, of an impartial chairman, together with a substitute for him, and on the other hand, of members and their substitutes, chosen in equal numbers from amongst employers and workers ;

the method of work and office system used by the bureau is approved by the Social Department ;

statistical data concerning the work, in whatever manner is most appropriate, shall be placed at the disposal of the Social Department.

2. Paragraph 1. A grant may be made to cover all the necessary expenditure of the bureau for :

- (a) postage ;
- (b) subscription to the State telephone system ;
- (c) telegrams and trunk telephone calls ;
- (d) the printing of blank and other forms.

Paragraph 2. After investigation in each case a grant may likewise be made to cover the cost partly of the remuneration of such staff as may be specially engaged for filling places in certain special trades, and partly for the special arrangements made for filling places as far as the country is concerned, for co-operation between bureaux and for finding work after the conclusion of military service for persons for whom such service is compulsory, and for regular soldiers and marines.

3. Application for a grant shall be made to the King, and—accompanied by the necessary proof showing that the conditions laid down in §1 for securing a grant, are fulfilled, and, as regards the grant contemplated in §2, paragraph 1, proved particulars of the amount to which the said special expenses reach at the time, as well as any other documents which appear necessary in support of the application—shall be handed in, before the 1st March, to the Social Department, which shall, before the 1st May following transmit the application documents thus received, with its own opinions, to the King.

Grants allowed shall be paid out to the bodies concerned through the Social Department, which shall have the duty of issuing more detailed provisions in the matter and likewise of seeing that the conditions attached to the receipt of a grant laid down by the King are observed.

## IX. Switzerland

### ZÜRICH.

*Verordnung betr. das Lehrlingswesen im Konditorgewerbe.* (Vom 17 August, 1916).  
**Order respecting apprenticeship in the confectionery industry.** (Dated 17th August, 1916.)

#### I. General Provisions.

1. The following rules shall apply to apprenticeship in the confectionery industry, in addition to those contained in §§1-23 and 25-32 of the Act respecting Apprenticeship, dated 22nd April, 1906,\* and in §§1-4, 6-27 and 33 of the Order of 14th September, 1906,† respecting Apprenticeship Examinations.

2. Every apprentice entering into apprenticeship shall be required to prove by a medical certificate that he is healthy.

Uniform forms shall be used for the medical certificates, which shall be conscientiously filled in and signed by the medical man.

3. The period of probation shall be four weeks, which shall be counted in the term of apprenticeship. During the period of probation either party to the contract shall be free to dissolve the apprenticeship by giving at least three days' notice.

4. If the apprentice, after completing the period of probation, is definitely taken into apprenticeship, the contract of apprenticeship shall be concluded, the contents and form of which shall be regulated by §4 of the Cantonal Apprenticeship Act. Until further notice, the form of apprenticeship contract used by the Swiss Confectionery Union shall be used. As soon as the period of probation has ended, four copies of the contract shall be made out. The third of these copies shall be handed to the Department of National Economy, and the fourth, together with the medical certificate contemplated in §2, to the President of the Cantonal Examination Committee for apprentices in the confectionery trade.

In other respects §3 of this Act shall apply. \*

5. No business shall have more than three apprentices at the same time. Moreover, a third apprentice shall not be taken until the apprentice who has been serving for the longest period is in the last year of his apprenticeship, nor unless there is at least one worker in the business.

6. The master shall be bound to train the apprentice, both practically and theoretically, in all branches of the trade. He must either conduct the training of the apprentice in person or through a suitable representative.

7. If the apprentice lives with his master, the latter shall be bound to provide him with wholesome and sufficient food.

8. The apprentice shall be bound to perform the work entrusted to him carefully, and in particular to be economical in the use of material, to be clean, conscientious and obedient, and to observe secrecy as regards the business affairs of the master. He shall be responsible for any damage which he causes the master deliberately or through negligence.

9. If the apprentice is admitted to the household of the master, he must adapt himself to the household arrangements and pay an apprenticeship fee according to the custom current in the locality. In case of illness the master must keep the apprentice for at least two weeks and arrange for him to be nursed and to receive medical treatment.

10. The daily hours of work shall be fixed in accordance with the Act and Order respecting apprenticeship, dated 26th April, 1906,\* and the public days of rest, dated 12th May, 1907,† and 22nd January, 1909.\*\*

11. The provisions of §11 of the Apprenticeship Act shall apply from the beginning of the apprenticeship as regards attendance at general and industrial continuation schools and trade courses.

12. For important reasons the contract of apprenticeship may be revoked by either side before the termination of the agreed term of apprenticeship. The judge shall have free discretion to decide whether such reasons exist.

If a breach of contract is committed, the master shall notify the Department of National Economy without delay, which department shall thereupon cause the Cantonal Examination Committee for apprentices in the confectionery trade to undertake an inquiry.

\* Text E.B. I., p. 58.

† Title E.B. I., p. 555, No. 2.

‡ Text E.B. II., p. 294.

\*\* (Order) Text E.B. V., p. 306, No. 5.



If the master is to blame for the premature dissolution of the apprenticeship, the Department of National Economy may, in pursuance of §§16 and 17 of the Act, withdraw from him the right to keep apprentices, if he has been guilty of repeated and gross neglect of duty towards the apprentices in his charge.

13. The term of apprenticeship shall be at least three years. If the apprentice, in consequence of military service, illness or other causes not attributable to the master, is prevented from working for more than eight weeks altogether during the agreed term of apprenticeship, the master shall have the right to keep the apprentice to make up the lost time after the conclusion of the agreed term of apprenticeship. The master must give notice in writing to the other party to the contract, of his desire to keep the apprentice in this manner, at latest one month before the agreed date for the termination of the contract.

In calculating the lost time only interruptions of more than three consecutive days shall be taken into consideration.

## *II. Apprenticeship Examinations.*

14. The general provisions of the Order respecting apprenticeship examinations, dated 14th September, 1906,\* shall apply to the examinations for apprentices in the confectionery trade.

The practical examination shall, until further notice, be conducted in accordance with the examination syllabus drawn up by the Cantonal Confectionery Unions.

15. An Examination Committee for apprentices in the confectionery trade shall be appointed for the whole canton by the Cantonal Factories and Industries Commission.

16. Only such apprentices as have served at least three years' apprenticeship shall be admitted to the examination.

Exceptions may be allowed on application, stating the reasons, by the Department of National Economy, after consultation with the Cantonal Examination Committee for apprentices in the confectionery trade.

17. Special marks shall be given in the practical and oral examinations on special trade knowledge for pastry, confectionery and decoration.

In order to calculate the average marks, the total number of marks shall be divided by the number of questions.

18. Apprentices in the confectionery trade who fail to pass the trade examination shall be admitted to a further examination within six months.

## *III. Administrative and Concluding Provisions.*

19. Supervision over the observance of the provisions of this Order shall rest with the Department of National Economy with the co-operation of the Cantonal Examination Committee for apprentices in the confectionery trade. Contraventions shall be notified to the Department of National Economy.

20. This Order shall come into force immediately.

\* Title E.B. I., p. 555, No. 2.

# War Measures in regard to Labour Legislation

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## (A) INTERNATIONAL

Resolutions based upon a Report presented to and approved in principle by the International Conference of the Trade Union Federations of the Allied Countries, held at Leeds, July 5th-7th, 1916. (Confederazione del Lavoro, 1916, 561.)

### LABOUR CLAUSES IN THE TREATY OF PEACE.

The Conference declares that the Treaty of Peace which will end the present war and ensure to the peoples freedom and political and economic independence, should also guarantee us against international capitalistic competition or ensure to the working classes of all countries a minimum of moral and material guarantees in respect of the right to work, the right of association, immigration, social insurance, hours of work, and the health and safety of the workers.

These guarantees must be based on the following principles :

#### *I. Right to Work. Right of Association.*

Every worker, of whatever nationality, shall have the right to work where he can make the best use of his own capacity. All workers shall enjoy in the country where they carry on their work all those guarantees as regards trade union organisation which the workers belonging to the country enjoy, especially the right to take part personally in the administration of organisations of their own.

No worker shall be extradited for reasons connected with trade unions or organisation.

It shall always be possible to appeal to a court of justice against an order of extradition.

No foreign worker shall receive wages and be subjected to conditions which are below the normal and customary wages and conditions of work in the town or district for workers of the same trade or special branch of trade.

The wages and conditions here contemplated shall be those prescribed in contracts concluded between organisations of employers and workers. In the absence of such contracts, these wages and conditions shall be determined by joint committees consisting of representatives of the employers' and workers' organisations.

#### *II. Migration.*

Migrations of workers shall be organised through and be based on the national organisations for placing workers. Every country shall establish a special emigration committee on which the national employers' and workers' organisations shall be represented as well as the Government.

The recruiting of workers for a foreign country shall only be permitted in pursuance of a favourable report issued by the committees of the countries concerned, which shall investigate the question whether and within what limits this recruiting meets the actual needs of an industry or of an agricultural district, and whether the contracts of employment provide clearly for wages and conditions of work conforming to the principles stated above.

The recruiting of emigrants shall be under the control of the workers' organisations of the country of emigration.

The observance of the contracts of work shall be under the control of the workers' organisations of the country of immigration.

If the employment of coloured workers proves necessary, the recruiting of such persons shall be subject to the same conditions as those laid down for European workers, and they shall enjoy the same guarantees.

In addition, manufacturers who employ such workers shall institute at their own expense and under the control of the public educational authorities, the necessary courses to enable the coloured workers to learn to read and write the language of the country in which they are employed.

### *III. Social Insurance.*

(a) Workers meeting with accidents and their dependants shall, regardless of their nationality or place of residence, be placed without further question in the same position as the workers of the country as regards compensation for injuries arising from industrial accidents.

The position of workers employed temporarily outside the country in which the undertaking to which they belong is domiciled, and of workers in the carrying trade who are employed temporarily or even usually in the territory of various States, shall be determined according to the legislation of the State in which the undertaking to which they belong is domiciled.

The authorities of the various States shall mutually assist each other in order to facilitate in every way the administration of the industrial accident laws.

All documents, certificates and papers which are agreed upon or drawn up in one State for the purpose of administering the accident laws of another State, shall be up from fiscal imposts and shall be drawn up without charge in pursuance of the legislation of the State in which they were agreed upon or drawn up.

(b) Countries which have not yet introduced systems of insurance against sickness, disablement, old age and unemployment, shall pledge themselves to do so within a short time limit.

At the expiration of this time limit, all workers, regardless of their nationality, shall, in all countries, benefit from these insurances in the same manner as workers belonging to the country.

The necessary agreements shall be concluded in order that the advantages of these insurances shall be maintained without interruption in the case of workers compelled to change their place of residence, and in order that control may still be exercised even outside the territory of the country concerned and the payment of compensation continued.

(c) Provisions shall likewise be adopted to the effect that pending the introduction of sickness insurance industrial diseases shall be placed immediately in all countries in the same position as industrial accidents for the purposes of compensation.



#### IV. *Limitation of Hours of Work.*

The age for the admission of children to work in industry, commerce and agriculture, and up to which compulsory school attendance shall continue, shall be fixed at 14 years. Night-work and work in industries with continuous furnaces shall be prohibited to women and young persons under the age of 18 years.

It shall be compulsory to allow in each week a period of rest of at least 1½ days, which shall be taken on Sunday and Saturday afternoon, except in some industries, which may be allowed to fix other days of the week for the period of rest.

The daily hours of work shall not exceed 10 hours for all workers.

This period of employment shall be reduced to a maximum of 8 hours in mines, works with continuous furnaces and industries injurious to health.

#### V. *Hygiene and Safety.*

(a) The different countries shall pledge themselves to develop further their legislation respecting the health and safety of the workers. They shall, in addition, attempt to make this legislation uniform for all branches of industry.

They shall, above all, come to a permanent agreement respecting joint action to combat industrial poisons, defective or dangerous methods of manufacture and diseases of occupation.

(b) Within a short time limit (2-5 years) the railways of all countries shall adopt the same automatic couplers for all trucks.

#### VI. *Control and Statistics.*

(a) The various countries shall take steps to create or extend labour inspection departments, having the duty of supervising the application of the laws relating to hours of work and the health and safety of the workers, especially those laws contemplated in the international agreement.

The Governments shall mutually inform each other of the laws and orders on these subjects which have been or may be brought into force in their respective countries in pursuance of the international agreement, and shall exchange their annual reports on the application of these laws and orders.

The workers' organisations shall be invited to take part in this supervision.

(b) An international commission shall be established with the duty of supervising the administration of the provisions of the treaty relating to social insurance, hours of work, and the health and safety of the workers.

This Commission shall have the duty of giving an opinion on all questions and all complaints which may be submitted to it.

Their opinions shall be forwarded to all the parties concerned.

In the last resort disputes shall be submitted, at the request of one of the parties, to the international arbitration court.

This international commission shall also have the duty of preparing for and organising later conferences to be called by the Governments of the various countries for the purpose of improving and developing labour legislation.

(c) An International Labour Office shall be founded with the duty of collecting together the various inquiries, investigations and statistics, and the national reports on the application of the labour laws, of unifying the comparative reports on the international agreement, of preparing international inquiries and investigating all questions relating to the development and

application of labour legislation, and to the protection, health and safety of the workers.

The existing Office founded by the International Association for Labour Legislation may be contemplated for this purpose. It will carry out this programme with the co-operation of the International Trade Union Office.

## (B) NATIONAL

### I. Austria

Austrian Workers' Congress, Vienna, 5th November, 1916. (*Arbeiterzeitung*, 8th November, 1916, Nr. 310.)

#### EXTRACT FROM THE RESOLUTIONS.

##### (A) *Legal Position of Workers taking part in the War.*

The Workers' Congress demands for all workers coming under the War Service Act :

1. State protection of their rights in respect of wages and of collective agreements, and adaptation of standard wages to the increased prices. Equality of wages for women doing equal work. Payment of the maintenance allowance to the families of workers who are taken to do war work outside their places of residence.

2. Strict inspection of undertakings with a view to the protection of the health of workers, complete prohibition of the work of children under 14 years of age, increase in the numbers of industrial inspectors and employment of women with technical training in this position.

3. Maintenance of the workers' right of organisation, protection of their rights of assembly and association, as well as of all their civil rights.

4. Strict definition of the competence of the military managers of the undertakings, as authorities entrusted exclusively with the maintenance of order and discipline; accused workers to be heard before penalties are imposed; a right of appeal with suspensory effect; and abolition of all methods of punishment liable to break the workers' spirit and degrade them. Creation of a special Court of Appeal against the punishment orders of the military managers.

5. Establishment of appeal and wages committees, consisting of representatives of the workers and the employers and of delegates from the competent authorities. These committees to have power to fix the wages payable to the workers, if necessary even to vary collective agreements and rates of wages, taking into consideration the price of the necessities of life, to settle by conciliation disputes respecting wages and arising out of conditions of work, and when necessary to issue arbitration awards.

##### (B) *Conditions concerning the supply of articles of clothing.*

The usual method of giving out contracts for the supply or manufacture of articles of clothing for the Army is no longer suitable. The war has clearly exposed the abuses connected with this method of giving out contracts. Up to the present the Ministries, in giving out contracts for goods to be supplied or manufactured, not unfrequently covering millions of Krone, have only troubled themselves about the price of the goods, and not at all about the real producers. The feeble attempts which have been recently made in this

direction are entirely inadequate. As a result, the contractors and manufacturers, in order to secure the greatest possible profit, have depressed wages down to the smallest possible amount. Even in factories where, before the war, regulated conditions of work and wages prevailed, the door has been opened to the arbitrary power of the employers by the employment of unskilled workers and women, and by the suspension of the labour laws and of the right of coalition. The workers of these industries again demand that in giving out such contracts for goods to be supplied and manufactured, attention will be paid to their lawful interests.

The workers demand :

1. The wages to be paid for the work shall be included amongst the terms of the contract.

2. In giving out work to be made up, remuneration for work done and allowance for materials to be provided shall be separated, and as in the German Clothing Departments, 75% of the remuneration paid to the undertaking shall be fixed as the workers' wages.

3. Effective arrangements for enforcing the observance of these provisions.

4. Establishment of a court of arbitration, consisting of workers, contractors and representatives of the Ministries concerned, for the purpose of deciding all disputes arising out of these provisions.

5. The contractor or manufacturer to be responsible for the payment of the wages to workmen and workwomen, to his middlemen and agents and in general to all intervening persons.

6. The contractors to be bound to insure homeworkers against sickness.

## II. Hungary

*Verordnung des kgl. ungar. Ministeriums, betreffend das Verbot der Nacharbeit im Bäckergewerbe.* Vom 24 Juni, 1916, L. 2040-1916. (Soziale Rundschau 1916, II., 50.)

Order of the Royal Hungarian Ministry respecting the prohibition of night-work in the bakery trade. Dated 24th June, 1916.

In pursuance of the exceptional provisions issued on account of the war, the Royal Hungarian Ministry orders as follows:—

1. All processes necessary for the preparation of bread, fancy bread and other bakers' goods shall be prohibited between the hours of 6 p.m. and 6 a.m.

The prohibition of the preceding paragraph shall apply to all persons producing bread, fancy bread or other bakers' goods not for the use of persons belonging to their own households, but for sale. This prohibition shall apply to inns, public-houses, coffee-houses, the owners of bathing establishments, etc., which make bread, fancy bread or other bakers' goods for sale or for use in their undertakings.

The prohibition contained in the first paragraph shall apply, in addition to confectioners, in the case of bakeries in the work of which industrial bakers are also engaged.

2. The industrial authorities of second instance may fix in a different manner the beginning and end of the 12-hour period of rest named in §1, paragraph 1, for the whole of their official districts or for part of the same, provided that the hour for beginning work shall not be fixed later than 7 a.m. nor earlier than 5 a.m. Work must cease on the expiration of the 12 hours period of employment reckoned from the hour of beginning work fixed in this manner.

The industrial authorities of second instance, before issuing these orders, shall hear the views of the industrial bakers and consider the local circumstances.

3. The Minister of the Interior, in agreement with the Minister of Commerce, may in case of need in the public interest, especially for the purpose of satisfying the needs of the Army, allow exceptions to the provisions of §1 and to the orders issued in pursuance of §2.

This right shall rest with the Ban in Croatia and Slavonia.



4. Any person who contravenes the prohibition contained in the present Order shall, if his action is not subject to any severer penalty, be held to be guilty of an offence, and he shall be punishable under §9 of Act L. of 1914, by detention for a term not exceeding two months or by a fine not exceeding 600 Kr.

The prosecution of contraventions shall come within the sphere of the proper authorities designated in the Act No. XVII. of 1884, for adjudicating upon industrial contraventions, and in Croatia and Slavonia within the sphere of the authorities designated in §184 of the same Act.

5. This Order shall come into force on 10th July, 1916. It shall apply to the territory of all the lands of the Holy Hungarian Crown.

### III. France

1. *Circulaire du Ministre de la Marine, en date du 4 février 1916, relative au régime des ouvriers militaires au point de vue des retraites et des accidents du travail.* (B.M.T. 1916, 35 [\*].)

Circular of the Minister of Marine respecting the position of military workers as regards pensions and industrial accidents. Dated 4th February, 1916.

2. *Circulaire du Ministre du Travail, en date du 10 février 1916, sur le placement des réformés et mutilés de la guerre.* (B.M.T. 1916, 1 [\*].)

Circular of the Minister of Labour respecting the placing of men discharged as unfit and crippled in the war. Dated 10th February, 1916.

3. *Circulaire du Ministre du Travail, en date du 10 février 1916, sur la participation des mutilés de la guerre aux sociétés de secours mutuels et aux co-opératives de production.* (B.M.T. 1916, 3 [\*].)

Circular of the Minister of Labour respecting the participation of men crippled in the war, in mutual aid societies and co-operative productive societies. Dated 10th February, 1916.

4. *Circulaire du Ministre de la Marine, en date du 11 février 1916, relative à l'application des décrets du 10 août 1899 et des lois ouvrières dans les établissements travaillant sous le contrôle de la marine.* (B.M.T. 1916, 34 [\*].)

Circular of the Minister of Marine respecting the application of the Decrees of 10th August, 1899, and of the Labour Laws in establishments working under the control of the Admiralty. Dated 11th February, 1916.

At the request of the Minister of Labour, I have decided that all contracts carried out in works under the control of the Admiralty shall in future contain, in conformity with the Decree of 10th August, 1899, and on the analogy of the rule already laid down in §24 of the shipbuilding contracts, a clause in the following terms:

"The workers shall receive wages equal to those paid to workers executing similar work for industry and commerce."

In addition, all contracts in general carried out in works under the control of the Admiralty shall contain, after the above clause (or after §24 in the case of shipbuilding contracts) the following provision:

"The contractor shall submit, in the execution of the contract, to the obligations arising from the labour laws, especially as regards the application of the Acts relating to workers' pensions."

It shall be the duty of the Engineers of the Department of Supervision and the Inspection of Manufactures to verify the rates of wages received by the workers. Supervision over the observance of the labour laws will rest with the Inspectors of the Ministry of Labour.

**5. *Circulaire du Sous-Secrétaire d'Etat de l'Artillerie et des Munitions, en date du 28 février 1916, relative à l'emploi des femmes et à leur salaire.***  
(B.M.T. 1916, 35 [\*].)

Circular of the Under-Secretary of State for Artillery and Munitions respecting the employment of women and their wages (addressed to the heads of State establishments and to manufacturers). Dated 28th February, 1916.

The increasing employment of women in war manufacture gives rise to several problems for which it is desirable to find a solution as soon as possible. As far as concerns the general conditions of this employment and the necessity of developing recourse to women's labour, but in a manner suited to the capacity of women, I have already issued advice which I am gratified to see has been understood and followed in the majority of cases.

As regards conditions of hygiene, I can only renew my recommendation that all the necessary attention should be devoted to this matter.

As regards daily hours of work, weekly rest, and night-work, although it has been necessary to make use of the exceptions provided for by law, it is, nevertheless, important to limit the use of such exceptions to what is absolutely indispensable and so as to avoid injuring either the women's working capacity or their health.

The most difficult problem is that of wages. In view of the difficulties to which my attention has been drawn on various points, and the inquiries which have been addressed to me from various sides, it seems to me necessary, at this point, to issue a brief statement of certain general principles to be followed, and to set up a special body for the purpose of studying and settling particular difficulties.

It is necessary to distinguish three cases :

- (a) work formerly done by women :
- (b) new work not formerly done in the establishment or in the district (by either men or women) ;
- (c) work formerly done by men and recently entrusted to women.

*(A) Work formerly done by women.*

In this case the general rule applicable to the remuneration of workers in munition works applies without special difficulties. The heads of establishments and industrial undertakings are required either by rules imposed or by their contracts to pay to these women workers the normal wage current in the district for the trade in question.

If it is necessary, in fixing this wage, to take into consideration new conditions arising out of or developed since the war, such as the high cost of living, increased charges, etc., this difficulty is not peculiar to the remuneration of women workers, and there is everything to be gained from dealing with it in a general way and in whatever manner may be suitable respectively for the different classes of worker.

*(B) New work not formerly done in the establishment or in the district (by either men or women).*

This case likewise is not peculiar to women's work, although it may arise more frequently in the case of women, in view of the transformation of industries or manufacturing processes which has had to be adopted for the purposes of their employment, or again because women's labour has been resorted to perhaps especially in new branches of manufacture for which there existed no staff formerly organised.

The rule to be followed is, however, the same.

In this respect, the rate of remuneration, whether by time or by the piece, should be fixed by comparison with the rates in operation for the operations most nearly allied to these new branches of work.

Notwithstanding, as far as piece-work wages are concerned, it is necessary to distinguish clearly the period of initiation, either when a new branch of manufacture or a new process is being tried, or when fresh labour is being organised or introduced for a new process, and to arrange for these rates of remuneration to be only provisional and liable to be revised by agreement, as well, moreover, in one direction as the other.

What is necessary, in any case, is that in this period a woman worker who has manifestly put forth an effort comparable to the effort required previously or nominally required, shall obtain finally—in the form of subsequent compensation, if necessary—a wage at least equal to what she would have had in her former work or in work organised normally.

Once this period of trial and adaptation is concluded, and the rates have been duly fixed for normal production, the rates of pay for this class of work will come under the general rule.

(C) *Work formerly done by men and recently entrusted to women.*

This is the most complex case of the three. Before proceeding to find a solution of the problem it is necessary to take several elements into consideration.

(a) If when the change in the labour employed takes place there is no reduction in the price of the product, this substitution of women for men, although compelled by circumstances, cannot be allowed to give the heads of the undertaking a supplementary advantage, not corresponding to any fresh effort on their part.

(b) But, on the other hand, if the formula "equal wage for equal work" may, from several points of view, be legitimately invoked, it is nevertheless necessary to determine in each case exactly to what extent it can be actually applied.

(c) It is doubtless not, in reality, the most frequent case when women's labour is substituted entirely and at the outset for the whole task and the whole extent of the work formerly done by men's labour.

(d) In the majority of cases, in order to enable women, whether less skilled or less strong, to produce the results formerly obtained by skilled men, it is necessary either to modify the plant and to adapt it to the capacity of the woman worker, or to have recourse to supplementary processes and measures which release the woman from some part of the former work, or again to sub-divide the work and to reserve to male workers one part of the task which was formerly done by the rest by the skilled workman whose place has been taken by the woman.

(e) It is necessary to take into consideration the differences which may arise between one type of labour and the other, taken all together, as regards the coefficients of regularity, conditions of management and supervision, rates of sickness, the limits of fatigue and of resistance, etc.

In practice, the outside limits of the new wage to be applied should be fixed as follows. The total cost of labour by which the work under consideration was done having been estimated, it is necessary to deduct from it the net cost of all the new alterations in plant, and in the organisation of the work, in supervision, etc., and in a general manner such part of the additional expense as is involved by the substitution of women for men. It is necessary, on the other hand, to make an exact comparison of the total amount and the quality of the work done by the women workers in relation to that formerly done by the corresponding workman.

And, once these deductions are made, the rates of pay corresponding, with justice and equity, to the women's work and to the conditions of such work, may be found.

However, as regards the majority of cases, the fear has been expressed that these rates, even thus reduced, especially in the case of piece-work, will produce for the women working under the conditions in question, a wage differing by too much from the wage habitually earned by women or procured by the women workers themselves formerly or in other work. And, even more, it has been feared that the maintenance or application of unusual rates to women's work will result in a restriction of output for fear of making the wages appear too high.

If the considerations which precede are fairly applied, this will, without doubt, be sufficient alone to ward off this danger sufficiently; but, if necessary, resort may be had to a bonus, in addition, which would restore the equilibrium.

In order to attract women's labour into munition works, and not to discourage in advance efforts which, at first might not be sufficiently fruitful, I have requested the Minister of the Interior to continue to allow to these women workers, as far as may appear desirable, all or part of the military allowances to the families of men called up, or relief of various kinds to necessitous families. In the case of relatively high wages, which we have just been considering, it will, no doubt, be expedient to reduce correspondingly any benefit derived from these allowances or benefits of various kinds, so as to modify an inequality which is open to criticism, without, however, ceasing to place a premium on fresh and increasing effort.

These general principles do not provide a positive solution for concrete cases with which the heads of establishments or manufacturers may find themselves confronted, and which may give rise to difficulties or friction which should be avoided.

In order to study these concrete cases, and to find solutions independently of local considerations and particular interests, I have consequently decided to set up in my Department a committee on women's work, before which these cases may be laid by one of the parties or by labour controllers, and whose recommendations will be submitted for my approval before becoming operative.

The deliberations of this committee, which will collect all the necessary elements of information and concern itself at the same time with the general interest and particular interests affected, will serve, I do not doubt, to establish for the newly adapted women's work the standards which it needs and deserves, and which the State, the natural guardian of the weak, ought to provide for it.



6. *Loi du 22 avril 1916 sur la taxation des charbons et la limitation des frets pour le transport des charbons sous pavillon français.* (B.M.T. 1916, 44 [\*].)

At respecting the fixing of coal prices and the limitation of freights for the conveyance of coal under the French flag. Dated 22nd April, 1916.

[EXTRACT.]

6. The average wages in mines shall not in any case be less than those paid in 1914 and 1915 for the same classes of worker.

All allowances in kind, whether made to the workers or to their families or to third parties, consecrated by local custom, shall be continued.

7. *Circulaire du Ministre du Travail, en date du 13 décembre 1915, sur l'extension des dispositions de l'article 25 du livre 1er du Code du Travail aux patrons, employés et ouvriers atteints par la mobilisation générale.* (B.M.T. 1916, 115 [\*].)

Circular of the Minister of Labour respecting the extension of the provisions of §25 of Book I. of the Code of Labour to employers, employees and workers affected by the general mobilisation. Dated 13th December, 1915.

[Section 25 of Book I. of the Code of Labour provides that a contract of work shall not be dissolved on account of an employer, employee, or worker being called up for military training. The joint departmental committees for the maintenance of national work are to be asked whether they consider it expedient to extend this rule to the case of the general mobilisation.]

8. *Arrêté du 29 février 1916 instituant un Office national de placement des mutilés et réformés de la guerre.* (B.M.T. 1916, 71 [\*].)

Decree to establish a National Employment Office for men crippled in the war and those discharged as unfit. Dated 29th February, 1916.

A national Employment Office for men crippled in the war and those discharged as unfit shall be created.

This office shall be attached to the cabinet of the Minister of War.

It shall be the object of the office :

(1) To centralise and advise on applications for employment made by pensioned soldiers or men discharged as unfit on account of wounds or illness contracted in the course of the war, or whose pension or discharge is pending, whose physical capacity can be utilised immediately, with a view to securing employment for them, in collaboration with the offices under the Ministry of Labour ;

(2) To study questions concerning the best use to which men seriously wounded and crippled men whose capacity for work is diminished on account of their wounds, can be put, in the economic interests of the country.

The offices of this new Department are to be installed at 95, Quai d'Orsay.

9. *Circulaire du Ministre du Travail, en date du 1er mars 1916, relative au placement des mutilés, à MM. les Inspecteurs divisionnaires du Travail.* (B.M.T. 1916, 49 [\*].)

Circular of the Minister of Labour respecting the placing of crippled men, addressed to the Divisional Inspectors of Labour. Dated 1st March, 1916.

10. *Arrêté interministériel du 2 mars 1916, relatif à l'Office national des mutilés et réformés de la guerre.* (B.M.T. 1916, 48 [\*].)

Inter-Ministerial Order respecting the National Office for men crippled in the war and those discharged as unfit. Dated 2nd March, 1916.

- 11.** *Circulaire du Ministre du Travail, en date du 20 mars 1916, relative à la statistique des institutions d'assistance en vue de la guerre, au placement des mutilés et réformés de la guerre et à la constitution de comités départementaux des mutilés et réformés.* (B.M.T. 1916, 66 [\*].)

Circular of the Minister of Labour respecting statistical returns from war relief institutions, the placing of men crippled in the war and those discharged as unfit, and the constitution of departmental committees on crippled and discharged men. Dated 20th March, 1916.

- 12.** *Circulaire du Ministre de la Guerre (Sous-Secrétariat d'Etat de l'Artillerie et des Munitions) en date du 24 mars 1916, relative au contrôle de la main-d'œuvre militaire.* (B.M.T. 1916, 94 [\*].)

Circular of the Minister of War (Under-Secretary of State for Artillery and Munitions) respecting the supervision of military workers. Dated 24th March, 1916.

- 13.** *Loi du 17 avril 1916 réservant, dans des conditions spéciales, des emplois aux militaires et marins réformés No. 1 ou retraités. par suite de blessures ou infirmités contractées au service pendant la guerre actuelle.* (B.M.T. 1916, 109 [\*].)

Act to reserve, under special conditions, certain employments for soldiers and sailors discharged in Class 1, or pensioned on account of wounds or infirmities contracted while serving in the present war. Dated 17th April, 1916.

[The said soldiers and sailors, especially the fathers of large families, are to have, during five years after the cessation of hostilities, a preferential right to the situations named in Schedules E, F, and G to the Act of 21st March, 1905.]

- 14.** *Circulaire du Ministre de la Guerre (Sous-Secrétariat d'Etat de l'Artillerie et des Munitions), en date du 22 avril 1916, relative à l'institution d'un Comité du Travail féminin.* (B.M.T. 1916, 98 [\*].)

Circular of the Minister of War (Under-Secretary of State for Artillery and Munitions) respecting the institution of a Committee on Women's Work. Dated 22nd April, 1916.

In my Circular of 28th February, 1916 (18,066 I/M.), I announced my intention of instituting under the Under-Secretary of State a Committee on Women's Work. I have just appointed this committee.

The committee is instructed to advise on questions respecting women's wages which arise out of the application of the Decrees of 10th August, 1899, relating to the recruiting and employment of women workers, the organisation of women's work in industrial establishments, and measures to be taken to improve the material and moral position of women employed in works: organisation of canteens, crèches, travelling facilities, etc.

I recommend you, as requested in the Circular of 28th February last, to submit to the committee, through the Under-Secretary's Department, which will act under the authority of the Chief of the Cabinet, having control of labour conditions, all questions in dispute as regards women's work which may be referred to you.

The committee will frequently have occasion to seek your co-operation in the inquiries which it will institute. It will also be assisted by women investigators, whose work I shall ask you to facilitate, if occasion arises.

You will find attached copies of the Circulars which I have just issued, for the same reason, to manufacturers and the secretaries of trade unions.

- 15.** *Circulaire du Ministre de la Guerre (Sous-Secrétariat d'Etat de l'Artillerie et des Munitions) en date du 22 avril 1916, relative à l'institution d'une Commission pour l'organisation du travail dans certains établissements de la Guerre.* (B.M.T. 1916, 99 [\*].)

Circular of the Minister of War (Under-Secretary of State for Artillery and Munitions) respecting the institution of a commission for the organisation of work in certain war undertakings. Dated 22nd April, 1916.

- 16.** *Loi du 28 avril 1916 accordant une allocation journalière aux victimes civiles de la guerre.* (B.M.T. 1916, 45 [\*].)

Act to grant a daily allowance to civilian victims of the war. Dated 28th April, 1916.

[Allowances in accordance with the Act of 5th August, 1914, during incapacity for work.]

- 17.** *Circulaire du Ministre du Travail, en date du 8 mai 1916, relative à l'enquête sur l'hygiène et la sécurité des femmes (adressés aux Inspecteurs divisionnaires du Travail).* (B.M.T. 1916, 87 [\*].)

Circular of the Minister of Labour relating to the inquiry into the health and safety of women (addressed to the Divisional Inspectors of Labour). Dated 8th May, 1916.

The attention of my Department has been called several times, and from various points of view, to the development taken by women's work since the war, in a certain number of trades.

In a great many establishments this development has been accompanied by a parallel development in measures taken to improve the health and safety of the workers, especially in trades in which women were not habitually employed before the war, and much interesting information has already been provided on this point by different inspectors of labour.

I have decided to institute an inquiry into this question, and I request you to investigate and inform me of the measures taken since the war, in the industrial and commercial establishments of your district, to improve the conditions affecting the health and safety of women employed in trades or on operations in which they were not formerly usually employed.

The results of this inquiry will be presented and classified in accordance with the inquiry form enclosed. The inquiry, which shall mention the name of the firm and address, in the case of each establishment contemplated, shall be limited to measures adopted since the war, and to trades and operations formerly reserved, in principle, to men; but it shall include establishments working for civil customers as well as those working for the war.

Your report on this subject should reach me not later than 15th July.

- 18.** *Arrêté du 11 mai 1916 relatif à l'organisation du service de placement des mutilés et réformés de la guerre et son rattachement au service général des pensions.* (B.M.T. 1916, 94 [\*].)

Decree respecting the organisation of the department for placing men crippled in the war or discharged as unfit, and attaching it to the general pensions department. Dated 11th May, 1916.

- 19.** *Circulaire du Ministre de la Guerre du 11 mai 1916 au sujet de l'organisation du service de placement des mutilés et réformés de la guerre, et à la création d'une annexe de ce service dans chaque région (service général des pensions).* B.M.T. 1916, 100 [\*].)

Circular of the Minister of War relating to the organisation of the department for placing men crippled in the war or discharged as unfit, and to the creation of a branch of this department in each district (general pensions department). Dated 11th May, 1916.



- 20.** *Circulaire du Ministre de la Guerre (Sous-Secrétariat d'Etat du Ravitaillement et de l'Intendance), en date du 25 mai 1916, relative à l'emploi de la main-d'œuvre féminine.* (B.M.T. 1916, 102 [\*].)

Circular of the Minister of War (Under-Secretary of State for Provisioning and Supplies) relating to the employment of women's labour. Dated 25th May, 1916.

[Employments in which women may be employed—Wages—Allocation or Expenses—Hours of work (to be based upon local custom, and fixed by the General Command; allowance for overtime)—Conditions of engagement—Application of the Workers' Pensions Act—Penalties—General observations.]

- 21.** *Circulaire du Ministre du Travail et de la Prévoyance sociale, en date du 7 juin 1916, concernant les mesures d'hygiène à adopter en ce qui concerne la main-d'œuvre féminine, dans les usines travaillant pour la défense nationale (adressée aux Inspecteurs divisionnaire du Travail).* (B.M.T. 1916, 90 [\*].)

Circular of the Minister of Labour, respecting the hygienic measures to be adopted as far as concerns women workers in works working for the national defence (addressed to the Divisional Inspectors of Labour). Dated 7th June, 1916.

The attention of the Committee on Women's Work, instituted in the office of the Under-Secretary of State for Artillery and Munitions, has been called to the conditions under which women are actually employed in establishments working for the national defence, especially in those which did not employ women before the war.

According to several facts brought to the knowledge of the Committee, certain of these establishments do not satisfy the particular requirements of women's employment.

The Committee has expressed, on this matter, the wish that the inspectors of labour shall visit these establishments and call the attention of their directors to the measures which ought to be taken in this respect, which measures will moreover tend to facilitate the recruiting of women workers.

One of the first measures to take is to provide for the women workers lavatories, cloak-rooms, and sanitary conveniences reserved exclusively for their use, and completely separated from the similar accommodation intended for the men employed.

Certain establishments have installed, in addition, for the use of the women employed, rest-rooms, refectories, crèches, or nursing-rooms: others provide them, without charge, with overalls and caps to protect their hair and clothing from the dirt inherent to the work.

It will be advisable, in the report which you ought to address to me on 15th July next, on the hygiene of the establishments employing women, to lay stress on the measures of this kind which may have been taken by manufacturers spontaneously or at the request of the department, indicating what the inspectors have done in order to make such measures general in the establishments under their supervision.

- 22.** *Circulaire du Ministre du Travail et de la Prévoyance Sociale, en date du 16 juin 1916, relative à l'application de la loi du 9 juin 1916 (avance de l'heure légale.)* (B.M.T. 1916, 90 [\*].)

Circular of the Minister of Labour relating to the application of the Act of 9th June, 1916 (advance of the legal time). Dated 16th June, 1916.

- 23.** *Circulaire du Sous-Secrétaire d'Etat de l'Artillerie et des Munitions, en date du 29 juin 1916, relative à l'emploi des femmes au travail de nuit.* (B.M.T. 1916, 131 [\*].)

Circular of the Under-Secretary of State for Artillery and Munitions respecting the employment of women on night work. Dated 29th June, 1916.

The necessity of increasing the production of munitions indispensable for the national defence has made it necessary, in a certain number of establishments, for women to take part in night-work, like men. Nevertheless, it is necessary to take the greatest possible care to prevent this exceptional and temporary measure from giving rise to that injury to the health and morality of the workers which it was the object of our labour laws to remedy, and to limit to a minimum the exemptions permitted.

I request you, therefore, to carry out the following instructions which I have issued on the recommendation of the Committee on Women's Work.

The employment of young work-girls under 18 at night shall be prohibited.

You will only permit, as an exceptional measure and temporarily, the employment at night of women of from 18 to 21 years of age. You will only grant permits in this sense in cases where you have made sure that the shortage of women's labour makes it impossible for the manufacturers to procure additional workers in sufficient numbers to take the place of these women on the night shifts.

I must request you to examine the composition of the night shifts, in consultation with the manufacturers, in order to avoid the dangers or serious objections to which night work might give rise in the case of certain women workers: women whose frequent absences show a precarious state of health, women in an advanced state of pregnancy, mothers of families obliged to look after young children, etc.

I have decided that the actual hours of work of women employed at night shall not exceed 10 hours, and that they ought, if possible, to be less. The organisation of work in shifts will, moreover, form the subject of a later Circular. You should, in any case, satisfy yourself that the work is interrupted by such breaks for rest as are necessary to ensure good health, and fixed with a view both to the reasonable organisation of work and the convenience of the workers. It will be your duty to supervise the schemes of hours and, if necessary, to introduce in them any indispensable modifications. If these breaks are of a certain duration, you will require the manufacturers to place at the exclusive disposal of the women workers a specially equipped room, containing adequate conveniences for heating food.

You will, finally, satisfy yourself that the manufacturers have taken all necessary measures to ensure the maintenance of good order in their workshops at night.

You are requested to report to me on the measures taken in carrying out these instructions, in a special paragraph in the monthly report.

**24.** *Circulaire du Ministre du Travail, en date du 18 juillet 1916, relative à l'emploi des femmes au travail de nuit (adressée aux Inspecteurs divisionnaires du Travail).* (B.M.T. 1916 123 [\*].)

Circular of the Minister of Labour respecting the employment of women on night-work (addressed to the Divisional Inspectors of Labour). Dated 18th July, 1916.

The Circulars of the 2nd, 3rd, and 14th August, 1914, authorised the inspectors of labour to allow the fullest latitude in enforcing the laws regulating work, with a view to the maintenance and increase of the output in establishments doing work in connection with the national defence.

In carrying out these instructions the inspectors of labour, in agreement with my department, have authorised the manufacturers verbally to deviate from the legal provisions in so far as concerns, in particular, the duration of the night work of women.

The extent of these exemptions has varied according to the circumstances, mainly in accordance with the urgency of the work and greater or lesser ease with which supplementary workers can be recruited. These exceptions have, above all, been authorised in munition works.

The prolongation of the war has resulted in the appearance of serious objections to the continued operation of certain of these exemptions.

As was pointed out by the Under-Secretary of State, in the speech he delivered on 6th June, 1916, "war-time experience has only proved the necessity from the technical, economic, and even physiological points of view, of the labour laws passed before the war. It is in our legislation of times of peace that we shall find the conditions for a yet better and more intense war production."

The Under-Secretary of State, in agreement with my department, has set up a Committee on Women's Work, with the duty of studying measures tending to improve the material and moral condition of women employed in establishments working for the Under-Secretary of State for Artillery and Munitions. This Committee has, in particular, examined the question whether it is desirable to limit the exemptions from the legal provisions which have been granted since the war, as far as concerns the work of women.

On the recommendation of this Committee, the Under-Secretary of State for Artillery and Munitions sent, on 29th June, 1916, to the controllers of labour the Circular of which you will find copies attached, for the use of the inspectors and women inspectors under your orders. This Circular shows the limits which exemptions granted in respect of the night work of women must not exceed.

It should be understood that, in cases where it has appeared possible to remain below these limits, there is no reason to extend previously-granted exemptions up to them.

These limits form a maximum, and are not a normal rule; they merely take the place of the legal provisions to which, on the contrary, it is desirable to tend to return as far as possible.

Where manufacturers working for the Under-Secretary of State for Artillery and Munitions are making use, as far as concerns the employment of women, of exemptions beyond the limits indicated in the Circular of 29th June, 1916, the inspectors of labour should request them to confine themselves within those limits, giving them the periods of transition necessary for them to modify the organisation of their work, and, if necessary, increase the number of persons employed, so as not to diminish the output of their establishments.

If manufacturers declare that it is impossible for them to comply with this request, or if, in effect, they fail to comply with it, the inspectors of labour should inform me of the circumstances, so that I may consult with the Under-Secretary of State for Artillery and Munitions as regards the measures to be taken to overcome any difficulties pointed out, without injuring the superior interests of the national defence.

## IV. Germany

1. *Bekanntmachung über die Nachweisung der von knappschaftlichen Krankenkassen verauslagten Beträge für Wochenhilfe während des Krieges.* Vom 7 Januar 1916 (Zentralblatt für das Deutsche Reich, S. 13).

Notification respecting proof of the sums paid out by miners' sick funds for maternity benefit during the war. Dated 7th January, 1916.

2. *Bekanntmachung, betr. die Ausführung des §8 des Versicherungsgesetzes für Angestellte.* Vom 4 Mai 1916 (Reichs-Gesetzblatt, S. 364).

Notification respecting the administration of §8 of the Employees' Insurance Act. Dated 4th May, 1916.

3. *Bekanntmachung, betr. die Beitragerstattung nach §398 des Versicherungsgesetzes für Angestellte.* Vom 11 Mai 1916 (R.G.Bl., S. 370).

Notification respecting the reimbursement of contributions under §398 of the Employees' Insurance Act. Dated 11th May, 1916.

4. *Bekanntmachung über Antragsrechte in der Invaliden- und Hinterbliebenenversicherung.* Vom 12 Mai 1916 (R.G.Bl., S. 371).

Notification respecting the right of initiative under the Invalidity and Survivors' Insurance. Dated 12th May, 1916.

5. *Bekanntmachung zur Aenderung der Bekanntmachung über die Bereitung von Backware vom 31 März 1915.* (R.G.Bl., S. 204.) Vom 26 Mai 1916 (R.G.Bl., S. 411.)

Notification to amend the notification respecting the preparation of bread and cake, dated 31st March, 1915.\* Dated 26th May, 1916.

4. In §9, paragraph 1, the words, "and preparatory processes" shall be inserted after the word "work."

\* Text E.B. X., pp. 46, No. 30 and 121, No. 24.



- 6.** *Bekanntmachung der Fassung der Bekanntmachung über die Bereitung der Backware.* Vom 26 Mai 1916 (R.G.Bl., S. 412).

Notification of the text of the notification respecting the preparation of bread and cake. Dated 26th May, 1916.

9. All processes and preparatory processes in the preparation of bread and cake shall be prohibited in bakeries and confectionery businesses between the hours of 7 p.m. and 7 a.m., even when they form only a subsidiary industry.

The higher administrative authorities may fix the beginning and end of the 12 hours to which this prohibition applies, for their district, or for particular places in the case of urgent economic need, in a different manner, provided that work shall not begin before 6 a.m., except under rural conditions. They may allow exceptions in cases of emergency or in the public interest, especially in order to satisfy a demand suddenly arising on the part of the military or naval authorities.

The central authorities of the State may limit the preparation of cakes to specified days of the week.

- 7.** *Bekanntmachung betr. Erstattung von Beiträgen zur Angestelltenversicherung an berufsunfähige Kriegsteilnehmer.* Vom 26 Mai 1916 (R.G.Bl., S. 425).

Notification respecting the reimbursement of contributions to the Employees' Insurance to persons having taken part in the war who are incapable of carrying on a trade. Dated 26th May, 1916.

- 8.** *Bekanntmachung, betr. Ausserkraftsetzung von Vorschriften der Reichsversicherungsordnung über Unfallversicherung.* Vom 14 Juni, 1916 (R.G.Bl., S. 515).

Notification to put out of operation provisions of the Imperial Insurance Code relating to accident insurance. Dated 14th June, 1916.

- 9.** *Bekanntmachung, betr. §214 Abs. 3 der Reichsversicherungsordnung.* Vom 14 Juni, 1916 (R.G.Bl., S. 516).

Notification respecting §214, paragraph 3, of the Imperial Insurance Code. Dated 14th June, 1916.

- 10.** *Bekanntmachung, betr. die Durchführung des §392 Abs. 3, Nr. 3 des Versicherungsgesetzes für Angestellte zugunsten berufsunfähiger Kriegsteilnehmer.* Vom 14 Juni 1916 (R.G.Bl., S. 517).

Notification respecting the carrying-out of §392, paragraph 3, No. 3, of the Employees' Insurance Act, in favour of persons having taken part in the war who are incapable of carrying on a trade. Dated 14th June, 1916.

- 11.** *Bekanntmachung über Arbeitsnachweise.* Vom 14 Juni 1916 (R.G.Bl., S. 519).

Notification respecting employment bureaux. Dated 14th June, 1916.

1. The central authorities of a State, or the authorities designated by them, may require communes or groups of communes to establish and develop public impartial employment bureaux, and also to contribute to the expenses of employment bureaux established by other communes or groups of communes; they may issue regulations respecting the establishment and management of such employment bureaux.

2. This Order shall come into force on the day of its publication. The Imperial Chancellor shall fix the day on which it shall go out of operation.

**12. Bekanntmachung, betr. die Einschränkung der Arbeitszeit in Betrieben in denen Schuhwaren hergestellt werden.** Vom. 14 Juni 1916 (R.G.Bl. S. 519.)

Notification respecting the limitation of hours of work in undertakings where boots and shoes are manufactured. Dated 14th June, 1916.

1. The following provisions shall apply to industrial undertakings in which boots and shoes with leather soles, of whatever kind, are manufactured, provided that the number of operatives employed is at least four, including outworkers (persons carrying on domestic workshops, homeworkers, etc.):

- (a) The hours of work in factories or workshops shall not exceed, for each individual worker and for the whole undertaking, 40 hours of work, exclusive of breaks.
- (b) Outworkers shall not be given, in any week, more than seven-tenths of the amount of work which was distributed to them on an average in a week in the period from 1st October, 1915, to the 31st May, 1916: in any case, they shall only be given sufficient work to enable them to earn seven-tenths of their average earnings during the said eight months, on the basis of the rates of wages in operation on 1st June. If it is not possible to determine the amount of the work done by the outworkers, on the basis of their earnings in the period from 1st October, 1915, to 31st May, 1916, they shall not be given more work than is necessary to enable them to earn the local rate of wages (daily wage customary in the locality).

An increase in these earnings shall only be permissible in so far as it is brought about by raising the rates of wages or other grants from the employer, and not by the distribution of a greater quantity of work.

- (c) Persons employed in workshops or factories shall not be given work to do outside the premises, or employed on account of third persons.
- (d) If the work is paid for by the piece or the hour, the rates of wages shall not be less than those paid on 1st June, 1916. If the work is paid for by time, otherwise than by the hour (weekly wages, daily wages), the wages shall only be reduced in proportion to the actual reduction of hours of work, and in no case by more than three-tenths in comparison with the state of affairs on June 1st, 1916.

2. The provisions of §1 shall apply to all persons employed in preparing, making and repairing boots and shoes, and also in arranging the work, giving it out, and taking it back; on the other hand, it shall not apply:—

- (1) to commercial operations;
- (2) to the watching of industrial premises, to the work of cleaning and maintenance, necessary to insure the regular progress of work in the undertaking itself or some other undertaking, nor to work upon which the resumption of the full work of the undertaking depends;
- (3) to work which is necessary in order to prevent the spoiling of raw materials or the failure of the product;
- (4) to the supervision of the undertaking;
- (5) to the fetching and carrying of goods and fuel, and to the loading and unloading of railway waggons.

3. The central authorities of the State, or the authorities empowered by them for the purpose, may determine for their own districts, or for parts of the same, the manner in which the permitted hours of work are to be distributed over the different days of the week. They may, in addition, on request, grant exemptions from the provisions of §1 in the public interest.

4. Employers in the undertakings designated in §1 shall be bound to allow the competent industrial inspectors, or the other authorities appointed for the purpose by the central authorities of the State, to inspect the wages books and other books, in so far as may be necessary in order to supervise the observance of the provisions of §1.

5. A notice, reproducing in clearly legible writing the text of this Order, shall be posted up on the inside of every exit door in the workrooms of undertakings designated in §1.

6. Any employer who contravenes the provisions of this Order, or of the Regulations issued in pursuance of §3, shall be punished by a fine not exceeding 1,500 marks, or by imprisonment for a term not exceeding three months.

7. This Order shall come into force on the day of its publication. It shall not apply to boot and shoe works coming under the Notification of the General Command

respecting the regulation of work in branches of trade using woven goods, hosiery, and knitted goods.

The Imperial Chancellor shall determine the date when this Order shall go out of operation.

**13. Gesetz, betr. Aenderung des Gesetzes über den Absatz von Kalisalzen.** Vom 21 Juni 1916 (R.G.Bl., S. 559).

Act to amend the Act relating to the sale of potash. Dated 21st June, 1916.

The Act relating to the sale of potash, dated 25th May, 1910 (R.G.Bl. p. 775), as amended by the Act of 7th September, 1913 (R.G.Bl. p. 559), shall be amended as follows :—

I. In §13 :

(a) In paragraph 1, the years "1907-1909" shall be replaced by the years "1912 and 1913,"

(b) in paragraph 2, the year "1909" shall be replaced by the year "1913,"

(c) in paragraph 4, the year "1909" shall be replaced by the year "1913," and the years "1907-1909" shall be replaced by the years "1912 and 1913."

II. In §14, the years "1907-1909" shall be replaced by the years "1912 and 1913."

III. Section 16 shall read as follows :—

Section 16. The provisions of §§13 and 14 shall apply even when the rates and wages and conditions of work are regulated by agreements with the workers or their organisations ; it shall not be lawful for such agreements to contain provisions restricting or annulling the workmen's right of association.

IV. In §17, paragraph 1, the words, "to remain in operation up to 31st December, 1918," shall be added after the words, "1st January, 1912."

V. In §19, paragraph 2, the following sentence shall be inserted before the last sentence : "If, in consequence of any such transference, any workman or official goes to work in another work-place which is more than six kilometres from his former place of residence, the cost of removal shall be met by the owner of the potash mine who is transferring his shares, if it is necessary for the person in question to remove his dwelling, unless these costs are already paid by the other party."

VI. The following §20A shall be inserted after §20 :—

Section 20A. From the date of the coming into force of this Act until 30th June, 1917 the home prices shall not be in excess of the following :—

In the case of Carnallite with at least 9% and less than 12% K <sub>2</sub> O		with 12-15% K <sub>2</sub> O		in a ground condition	
"	" Raw Salt	"	20-22% K <sub>2</sub> O	"	11.0 pfennig
"	" Dungsalt	"	30-32% K <sub>2</sub> O	"	13.0 "
"	" "	"	40-42% K <sub>2</sub> O	"	18.0 "
"	" "	"	50-60% K <sub>2</sub> O	"	20.5 "
"	" Chlorate of Potash	"	over 60% K <sub>2</sub> O	"	32.0 "
"	" "	"	over 42% K <sub>2</sub> O	"	35.0 "
"	" Sulphide of Potash	"	"	"	38.0 "
"	" Sulphide of Potash Magnesia	"	"	"	35.0 "

for 1% of Potash (K<sub>2</sub>O) per double hundredweight.

For the same period the share of the sales shall be reduced (§13, paragraphs 1-3) in so far as the average wage paid to one class of workmen falls behind the average of the wage of the calendar years 1912 and 1913, or 80 pf. for the shift. These provisions shall apply correspondingly to §13, paragraph 4, and §§14 and 15.

VII. In §27, paragraph 3, the words, "the financial year 1915," where they occur in the 1st and 4th lines, shall be replaced by the words, "financial years 1915 and 1916."

VIII. This Act shall come into force on the day of its publication.

**14. Bekanntmachung, betr. Festsetzung der Ortslöhne.** Vom 3 Juli 1916. (R.G.Bl., S. 658.)

Notification respecting the determination of local wages. Dated 3rd July, 1916.



**15. Gesetz über Kapitalabfindung an Stelle von Kriegsversorgung (Kapitalabfindungsgesetz).** Vom 3 Juli 1916. (R.B.Bl., S. 680.)

Act respecting the payment of lump sums instead of War Relief (Lump-Sum Settlement Act). Dated 3rd July, 1916.

1. Persons who have a claim to war relief on account of the present war, in pursuance of the Services Relief Act (Mannschaftsversorgungsgesetz) or the Military Dependents Act, may on request have their claims settled by the payment of a lump sum, in pursuance of the following regulations, for the purpose of acquiring or strengthening the economic position of a holding of their own.

A lump sum shall only be paid in settlement when the persons entitled to relief wish to join a public building or holding association, for the purpose of acquiring a holding of their own.

The highest military administrative authority shall decide on the application.

2. A lump sum may be granted if:—

- (1) the persons entitled to relief have completed their 21st year of age and are not yet 55 years of age; in exceptional circumstances a suitable settlement may be made even after the fifty-fifth year of age;
- (2) the claim to relief is recognised;
- (3) it is not likely, in view of the nature of the reasons for which the relief is given, that the war relief will cease at a later date;
- (4) there exists some guarantee that the money will be advantageously applied.

If the highest administrative authority is not of opinion that the advantageous application of the money is guaranteed, the applicant shall be notified in writing of the reasons, before the decision is issued, and given an opportunity to express his opinion on the matter.

3. The lump sum may cover the war bonus (§14 of the Service Relief Act of 31st May, 1906; R.G.Bl. 1906, p. 593); the cripples' bonus (§13 of the Service Relief Act, 31st May, 1906; R.G.Bl. 1906, p. 593); and the tropical increase in the amount of the war bonus (§§67-69 of the Service Relief Act of 31st May, 1906; R.G.Bl. 1906, p. 593); and also the allowance given in pursuance of the Military Dependents Act of 17th May, 1907 (R.G.Bl. 1907, p. 214) to the widow of a field sergeant, deputy field sergeant, sergeant, with the pay of a deputy field sergeant, or a van driver of the Voluntary Red Cross Service, up to 300 marks; to the widow of a sergeant, sub-officer, deputy van driver, or sectional leader of the Voluntary Red Cross Service, up to 250 marks; to the widow of a private, or any other member of the subordinate staff of the Red Cross Service, up to 200 marks.

The settlement may be limited to some part of these allowances.

4. In calculating the sum to be paid in settlement, account shall be taken of the age reached by the applicant in the year following the day of application.

All claim to the allowances commuted for the lump sum shall expire on the first day of the month following the payment of the lump sum.

5. The sum to be paid in settlement shall be calculated, taking the age into consideration, as the multiple of the allowances shown in the following table, namely:

In the 21st year of age	.. 18½ times	In the 39th year of age	.. 14 times
" 22nd "	.. 18½ "	" 40th "	.. 13½ "
" 23rd "	.. 18 "	" 41st "	.. 13½ "
" 24th "	.. 17½ "	" 42nd "	.. 13½ "
" 25th "	.. 17½ "	" 43rd "	.. 13 "
" 26th "	.. 17½ "	" 44th "	.. 12½ "
" 27th "	.. 17 "	" 45th "	.. 12½ "
" 28th "	.. 16½ "	" 46th "	.. 12½ "
" 29th "	.. 16½ "	" 47th "	.. 12 "
" 30th "	.. 16½ "	" 48th "	.. 11½ "
" 31st "	.. 16 "	" 49th "	.. 11½ "
" 32nd "	.. 15½ "	" 50th "	.. 10½ "
" 33rd "	.. 15½ "	" 51st "	.. 10½ "
" 34th "	.. 15½ "	" 52nd "	.. 9½ "
" 35th "	.. 15 "	" 53rd "	.. 9½ "
" 36th "	.. 14½ "	" 54th "	.. 8½ "
" 37th "	.. 14½ "	" 55th "	.. 8½ "
" 38th "	.. 14½ "		

the annual amount of the allowance or part allowance in question.

6. The use of the lump sum in accordance with the regulations shall be guaranteed by the form in which the sum is paid out, and, as a rule, by measures to prevent the immediate transfer of the holding, or of the right attached to it. For this purpose the highest military administrative authority may order, in particular, that a holding acquired by means of a lump sum shall not be transferred or mortgaged within a period not exceeding two years, without their consent. This order shall become operative on being entered in the Land Register (Grundbuch). The entry shall be made on the application of the highest administrative authority.

7. The lump sum paid in settlement shall, on demand, be repaid in so far as it is not used in accordance with the regulations within a reasonable time limit fixed by the highest administrative authority.

8. If the purpose of the lump sum paid in is not fulfilled, the said sum must be reimbursed on the demand of the highest military administrative authority.

In order to secure the repayment of the sum paid in settlement, the highest military administrative authority may require a registered charge. (Eintragung einer Sicherungshypothek.)

The obligation to reimburse any sum shall be limited to the amount at which the sum paid in settlement would have been fixed if the person whose claim has been settled had applied for a lump sum at the date of the reimbursement.

9. The person whose allowance has been commuted may, on repayment of the sum paid in settlement, be again granted, on request, the allowances which expired on account of the settlement, if he transfers the holding in order to secure some other means of earning his living, or if other important reasons are present.

The rule contained in §8, paragraph 3, shall apply accordingly; the date of the reimbursement shall be taken as the basis for the calculation.

10. A claim expired under §4, paragraph 2, shall be revived as from the first day of the month in which the sum paid in settlement is reimbursed.

11. If a widow whose claims have been settled remarries, the sum paid in settlement shall be repaid within three months after the marriage, in so far as it exceeds the total amount of the allowances taken into consideration in fixing the said sum, which would have been payable up to the time of her remarriage. A widow shall be allowed three times the allowance which formed the basis of the lump sum.

In order to secure the repayment, a registered charge or any other security may be required.

In special circumstances, a person may be entirely or partly exempted from repayment.

12. No claim for the sum to be paid out shall arise from the granting of a settlement for a lump sum.

Within the time limit contemplated in §7, an amount equivalent to the sum paid out in settlement, in money, notes, or securities, shall not be liable to seizure.

# **16. Bekanntmachung, betr. Krankenversicherung bei Ersatzkassen. Vom 5 Juli 1916. (R.G.Bl., S. 655.)**

Notification respecting sickness insurance in substitute funds. Dated 5th July 1916.

# **17. Bekanntmachung, betr. Ausführungsbestimmungen zum Gesetz über Kapitalabfindung an Stelle von Kriegsversorgung (Kapitalabfindungsgesetz). Vom 8 Juli, 1916. (R.G.Bl., S. 684.)**

Notification concerning administrative provisions in pursuance of the Act respecting the payment of lump sums instead of war relief (Lump Sum Settlement Act). Dated 8th July, 1916.

## *Petitions respecting Labour Legislation.*

I. Bureau for Social Legislation (Bureau für Sozialpolitik), etc. Petition to the Federal Council respecting the issue of administrative orders in pursuance of §§3, 4 and 18 *et seq.* of the Home Work Act. Dated March 1916

The undersigned organisations beg to approach the Federal Council again with the urgent request that the administrative orders necessary for the carrying out of §§3, 4, and 18, *et seq.*, of the Home Work Act\* may be issued as soon as possible, and that the administrative order of 18th June, 1914,† may be amended in the sense of repealing the restrictive regulations affecting the admission of persons not belonging to the trade as representatives of the homeworkers on industrial committees.

### Argument :

The development of conditions in home-work since the beginning of the war proves absolutely that the distressed conditions which were always apparent will be intensified both as regards their scope and their nature.

The demand for labour has increased in a quite extraordinary manner. Numbers of soldiers' relatives and other persons indirectly injured by the war have turned for the first time to home work and found it, at least for a time, as a result of the enormous army orders, a comparatively paying occupation. It may be assumed that many of these women will not give up home work even after the war, and, indeed, that the army of persons wanting to work will still be increased by numerous soldiers' widows. To what a great extent the latter resort to home work is shown by particulars furnished by the Private Relief Centre (Zentrale für private Fürsorge) in Berlin, according to which one-third of all soldiers' widows, for whom provision was made, took home work. It will not be too high an estimate if it is assumed that on an average over the whole Empire about one-third of all soldiers' widows, even if not immediately, yet at some time or another, will appear on the home work market. This produces figures which, in view of the 250,000 women home workers shown by the last industrial census, in 1907, will be very considerable, and which indicate a danger which will be all the more serious in view of the fact that the women in question draw allowances, and will consequently be ready and able to work for wages which do not cover the minimum necessary for subsistence. In addition, there will be many home-workers of a retiring nature whom the organisation cannot touch, and who will consequently, it is much to be feared, have an especially serious effect in depressing wages. To these will be added numerous men injured in the war, or their wives, who were not previously compelled to earn jointly with their husbands.

As it has been shown by experience that the supply of home-workers grows in proportion as the grade of employment and real wages of men sinks, a further influx may be anticipated, in the times of severe depression which may be expected to follow the war, from classes of the population formerly far removed from home work.

To this inflated supply there will be opposed, even if not immediately after the conclusion of peace, a heavy reduction in orders on the part of the army and navy. Even now the falling off of these orders is very noticeable. Whether and to what extent it will be possible to reconquer former foreign markets must remain in doubt; in addition, it is possible that the state of home markets, especially for the luxury trades, may become very unfavourable.

These two facts: the enormous increase in persons ready to undertake home work, and the probable reduction in the need for workers, lead us to fear a really catastrophic deterioration in conditions of work and wages in home work, which, in view of the strong reactions between home work and factory work will even threaten to invade the latter.

We ought not to allow ourselves to be surprised by these distressful conditions; we must instead take measures in due time to meet them scientifically. The means to this end are offered by the Home Work Act, for the final carrying out of which German home workers have been waiting in vain for four years, in spite of the fact that the Reichstag has several times declared unanimously in favour of its being brought into operation as promptly as possible.

No difficulties stand in the way of bringing §4 of the Home Work Act into operation since objections can hardly be raised on the part of employers, and the administrative regulations in pursuance of §3 ought also to be issued at last, since investigations lasting years have been carried out, and no further material can be produced. The valuable aid that the enforcement of §§3 and 4 would give as regards the protection of wages is already proved by the fact that the more recent contracts for army supplies contain corresponding requirements.

But, above all, the undersigned urgently beg that the Federal Council will cause industrial committees to be created as expeditiously as possible, and not wait for the conclusion of peace for this purpose. If by means of the industrial committees it is found possible to regulate home work by collective contracts, the feared depression will take a

\* Text E.B. VII., p. 7, No. 5.

† Text E.B. IX., p. 292, No. 3.



far milder and less disorganised form. The first months of the war gave ample proof of what a well-developed system of collective agreements may affect.

The objection that it would not now be possible to find suitable persons to serve on the industrial committees loses its force in view of the fact that there has never been any difficulty in creating the conciliation boards, which somewhat resemble the industrial committees in their composition.

Practical experience on the conciliation boards has given ample proof of how indispensable is the co-operation of the trade-union secretaries, who have the best general knowledge of the whole trade, are schooled and disciplined in parliamentary procedure, and possess the needful economic independence which is necessary in order to convert numerical equality in the composition of the industrial committees into a real equality. A committee on which one-half of the members are economically dependent upon the other half has no balance of power, which is an indispensable condition for the fulfilment of the duties laid upon it.

We urgently beg that response may be made to our repeated request for the carrying out of the Home Work Act and for the repeal of the restrictive regulations of the Administrative Order of 18th June, 1914, affecting the admission of trade union secretaries, and that the way may thus be opened to the necessary regulations and healthy development. Energetic intervention for the protection of home workers would satisfy the frequently expressed will of our people.

Bureau für Sozialpolitik. Prof. Dr. Francke.—Auskunftsstelle für Heimarbeitsreform. Dr. Käthe Gaebel.—Generalkommission der Gewerkschaften Deutschlands.—Gesamtverband der Christlichen Gewerkschaften.—Verband der Deutschen Gewerksvereine (H.D.).—Polnische Berufsvereinigung.—Ständiger Ausschuss zur Förderung der Arbeiterinneninteressen.—Gesellschaft für soziale Reform.—Wirklicher Geh. Rat Dr. Thiel, Exz., Vorsitzender des Centralvereins für das Wohl der Arbeitenden Klassen.

## 2. Social-democratic women of Germany, etc. Petition respecting the protection of women workers and young persons. Dated 24th March, 1916.

The undersigned urgently beg the Reichstag:

- (1) To repeal the Emergency Act of 4th August, 1914, in pursuance of which the Imperial Chancellor may put the provisions of the Industrial Code respecting the protection of women workers, young persons and children out of operation for the duration of the war.
- (2) To introduce an eight-hour day for women, in any case as regards the women employed in heavy trades (iron trades, mines, earth works, rubbish removal, etc).

### *Argument:*

The repeal of the provisions of the Industrial Code respecting the protection of women workers, young persons and children by the Emergency Act of 4th August, 1914\*, gave rise to objections at the outset, but these were put aside because a short duration for the war was generally counted upon, and consequently injury to the health and morals of the workers was not to be feared in the case of a purely temporary removal of the protective regulations. This was feared all the less since even in the Ministerial Decree of 10th August† emphasis was laid—as expressing the general view—on the desirability of proceeding with great circumspection in granting exceptions, and instructions were given to the effect, in particular, that exceptions to the provisions respecting the employment of children should only be granted in cases of the most urgent necessity.

In reality, the wage-earning work of women, young persons and children has increased to an extent which was anticipated by nobody.

Women have pressed into trades which were formerly closed to them, and which are plainly injurious to a woman's physique, and at least can only be carried out without serious injury if the most careful protective regulations are observed. Attention need only be drawn to employment with industrial poisons in the chemical and explosives industries, to the lifting of heavy weights in shell factories, smelting works, etc.

The employment of women, young persons and children to an extent beyond the provisions of the Industrial Code has, moreover, not remained restricted to exceptional cases in accordance with the original intentions of the Government and parties; but it has become rather the rule. Many thousands of women and young persons of both sexes are working overtime, at night and on Sundays, to a very considerable extent. This

\* Text E.B. X., p. 38, No. 3.

† Text E.B. X., p. 49, No. 4.

overstrain, combined with the underfeeding resulting from the extraordinary dearthness and shortage of many necessities of life, has fatal effects upon the health of the persons concerned, most of whom are also oppressed by deep sorrow, and upon the development of the next generation, conceived and born under such unfavourable conditions. We append some medical opinions.

In this connection the fact must not be overlooked that the present state of affairs has unfortunately had also a very unfavourable influence on young workers not fully developed.

And finally, it should be noted that the permanent over-exhaustion, which results in loss of strength and injury to health, hastens the advent of disablement and increases the risk of injury.

The health of the people and the development of the character of the young are consequently very seriously threatened.

Moreover, the argument that, by employing women and young persons without restrictions imposed by labour laws, the interruption of working processes is prevented, can at present no longer be held good. The "Reichsarbeitsblatt," of February, 1916, states, on the contrary, that for 163 women applicants for work, there were only 100 available situations. In Berlin alone, in January, 1916, compared to the previous month, the number of women seeking work rose from 10,700 to 14,200, while that of the vacant places for them rose only from 8,050 to 8,220. The reports of all employment bureaux making regular returns are the same: the Union of Employment Bureaux of the Marches, the East-Prussian and Posen Unions, the Hamburg Central Employment Bureau, the Württemberg State Office, and the Union of Westphalian Employment Bureaux. According to the Westphalian report, there were even only 100 vacant places for 216.5 applicants. But even the number of men seeking work rose in Berlin, in January, from 11,700 to 16,100 and that of the vacant places only from 11,350 to 13,400.

The Ministerial Decree of 10th August, 1914, already referred to, however, contains the express warning that, in granting exceptions, care should be taken to see that opportunities for men who have lost their work as a result of the war to secure employment are not reduced.

The opportunities for men and women to get work are now prejudiced by the overwork of those employed.

Thus, the continued allowing of exceptions is contrary to the will of the Legislature and to the clear wording of the Ministerial Administrative Provisions; the repeal of the exceptions would consequently be an act of justice and a measure of social legislation rich in good results.

The repeal of the Emergency Act and the introduction of the eight-hour shift for women, in any case in heavy trades, would give employment and earnings to thousands, and remove much need and sorrow from the working classes.

The undersigned consequently trust that, in the interests of the workers and that of the health of the people, their words will be considered and their request fulfilled.

For the Social-democratic women of Germany: (Signed) Luise Zietz.

For the Women Workers' Department of the General Commission of Trade Unions of Germany: (Signed) Gertrud Hanna.

Appendix: Medical opinions on the effect of overtime and night-work on the physique of women.

## V. Great Britain and Ireland

Order, dated July 6th, 1916, of the Minister of Munitions made in pursuance of §6 of the Munitions of War (Amendment) Act, 1916 (5 & 6 Geo. 5, c. 99). (Stat. R. & O. 1916. No. 447.)

Whereas §6 of the Munitions of War (Amendment) Act, 1916, provides as follows:—

6. (1) Where female workers are employed on or in connection with munitions work in any establishment of a class to which the provisions of §7 of the principal Act as amended by this Act are for the time being applied by an Order made thereunder, the Minister of Munitions shall have power by Order to give directions as to the rate of wages, or (subject, so far as the matter is one which is dealt with by the Factory and Workshop Acts, 1901 to 1911, to the concurrence of the Secretary of State) as to hours of labour, or conditions of employment of the female workers so employed.

(2) Any directions given by the Minister of Munitions under this Section shall be binding on the owner of the establishment and any contractor or sub-contractor employing labour therein and the female workers to whom the directions relate, and any contravention thereof or non-compliance therewith shall be punishable, in like manner as if the Order in which the direction is contained was an award made in settlement of a difference under Part I. of the Principal Act.

(3) No direction given under this Section shall be deemed to relieve the occupier of any factory or workshop from the obligation to comply with the provisions of the Factory and Workshop Acts, 1901 to 1911, or of any Orders or regulations made thereunder, or to affect the liability of any person to be proceeded against for an offence under the Employment of Children Act, 1903, so however that no person be twice punished for the same offence.

And whereas the establishments named in the 2nd Schedule hereto are establishments of a class to which the provisions of §7 of the Principal Act, as amended by the Munitions of War (Amendment) Act, 1916, are for the time being applied by an Order made thereunder, Now, therefore, in pursuance of the above-mentioned powers, the Minister of Munitions hereby orders and directs that the directions contained in the 1st Schedule hereto regarding the wages of female workers employed on or in connection with munitions work shall take effect and be binding upon the owners of the establishments named in the 2nd Schedule hereto and any contractor or sub-contractor employing labour in any such establishment and the female workers to whom the directions relate as from 17th July, 1916.

#### *First Schedule.*

Directions relating to the remuneration of women and girls on Munion Work of a class which prior to the War was not recognised as men's work in districts where such work was customarily carried on :—

1. Where women or girls are engaged on munion work of a class which prior to the war was not recognised as men's work in districts where such work was customarily carried on, the time rates for piece-workers and premium bonus workers shall be as follows :—

Workers 18 years and over	..	..	..	..	4d. per hour.
" 17 " " under 18	..	..	..	..	3½d. "
" 16 " " " 17	..	..	..	..	3d. "
" under 16 years	..	..	..	..	2½d. "

2. The rates for such women and girls when customarily on time shall be as follows

Workers 18 years and over	..	..	..	..	4½d. per hour.
" 17 " " under 18	..	..	..	..	4d. "
" 16 " " " 17	..	..	..	..	3½d. "
" under 16 years	..	..	..	..	3d. "

3. Women and girls in danger zones shall be paid ½d. per hour in addition to the above rates. Allowances for other processes which are dangerous or injurious to health will be decided on the merits of such cases.

4. The appropriate time-rate shall, in the case of any woman or girl on piece-work, be guaranteed irrespective of her piece-work earnings. Debit balances shall not be carried forward from one week to another.

5. On premium bonus systems every woman's and girl's appropriate time-rate shall in all cases be paid.

6. Women or girls shall not be put on piece-work or premium bonus systems until sufficiently qualified. The period of qualification should not generally exceed four weeks.

7. The above rates shall be recognised as war rates, and as due to and depending on the exceptional conditions resulting from the present war.

8. The foregoing rates shall not operate to prejudice the position of any person who has better terms and conditions, nor prevent employers from recognising special ability or responsibility.

9. For the purpose of this Schedule the term "men" means males of 18 years of age and over.

10. Any question which arises as to the interpretation of these provisions shall be determined by the Minister of Munitions.

#### *Second Schedule.*

List of Establishments,



## VI. Italy

1. *Circolare Ministeriale del 1 ottobre 1915, N. 31191, ai Prefetti del Regno, intorno ai provvedimenti per la proroga e la rescissione dei contratti agrari.* [Bollettino dell' Ufficio del Lavoro, Nuova Serie=Bul. (N.S.), 1915, 255.]

Ministerial Circular, No. 31191, to the Prefects of the Kingdom respecting measures to extend and dissolve agricultural contracts. Dated 1st October, 1915.

2. *Decreto luogotenenziale del 17 ottobre 1915, N. 1515, concernente l'assicurazione degli equipaggi della marina mercantile contro gli infortuni sul lavoro.* [Bul. (N.S.), 1915, 278.]

Decree of the Lieutenant-General, No. 1515, concerning the insurance of the crews of merchant ships against accidents arising from their employment. Dated 17th October, 1915.

3. *Decreto luogotenenziale del 31 ottobre 1915, N. 1575, per la proroga delle elezioni parziali dei Collegi di probiviri.* [Bul. (N.S.), 1915, 279.]

Decree of the Lieutenant-General, No. 1575, to postpone the partial elections of the Industrial Courts. Dated 31st October, 1915.

4. *Decreto luogotenenziale del 11 novembre 1915, N. 1455, concernente i termini per la proroga e rescissione dei contratti agrari.* [Bul. (N.S.), 1915, 279.]

Decree of the Lieutenant-General, No. 1455, respecting the time limits for extending and dissolving agricultural contracts. Dated 11th November, 1915.

5. *Decreto-legge luogotenenziale del 11 novembre 1915, N. 1658, contenente disposizioni per agevolare l'esecuzione di opere pubbliche per conto dello Stato, delle Provincie e dei Comuni durante la guerra.* [Bul. (N.S.), 1915, 307.]

Decree of the Lieutenant-General, No. 1658, containing provisions to facilitate the carrying-out of public works on behalf of the State, the provinces and the communes during the war. Dated 11th November, 1915.

6. *Decreto luogotenenziale del 23 dicembre 1915, N. 1825, col quale il termine di validità stabilito nel art. 12 del R.D. 2 maggio 1915, N. 635, circa l'espatrio per ragioni di lavoro, è prorogato sino alla fine della guerra.* [Bul. (N.S.), 1916, 13.]

Decree of the Lieutenant-General No. 1825, extending until the end of the war the term laid down in §12 of the Royal Decree of 2nd May, 1915, respecting emigration for the purposes of work. Dated 23rd December, 1915.

7. *Decreto luogotenenziale del 23 dicembre 1915, N. 1880, col quale viene esteso il divieto di pesca nel Mare Jonio.* [Bul. (N.S.), 1916, 13.]

Decree of the Lieutenant-General, No. 1880, extending the prohibition to fish in the Ionian Sea. Dated 23rd December, 1915.

3. *Decreto luogotenenziale del 2 gennaio 1916, N. 8, col quale il Governo ha facoltà di sottoporre alla giurisdizione militare gli addetti ai lavori e alle imprese di carico e scarico nei porti del Regno.* [Bul. (N.S.), 1916, 14.]

Decree of the Lieutenant-General, No. 8, giving the Government power to subject to military control persons employed in loading and unloading operations and undertakings in ports of the Kingdom. Dated 2nd January, 1916.

9. *Decreto luogotenenziale del 3 febbraio 1916, N. 149, col quale viene prorogato la rinnovazione parziale del Consiglio superiore del lavoro* [Bul. (N.S.), 1916, 38.]

Decree of the Lieutenant-General, No. 149, to postpone the partial re-election of the Superior Labour Council. Dated 3rd February, 1916.

10. *Decreto luogotenenziale del 24 febbraio 1916, N. 270, relativo alla proroga dei contratti agrari.* [Bul. (N.S.), 1916, 45.]

Decree of the Lieutenant-General, No. 270, respecting the extension of agricultural contracts. Dated 24th February, 1916.

11. *Decreto luogotenenziale del 27 febbraio 1916, N. 231, recante disposizione per agevolare la esecuzione di opere pubbliche per conto dello Stato, delle provincie e dei comuni durante la guerra.* [Bul. (N.S.), 1916, 45.]

Decree of the Lieutenant-General, No. 231, respecting provisions to facilitate the carrying-out of public works on account of the State, the provinces and the communes during the war. Dated 27th February, 1916.

12. *Decreto luogotenenziale del febbraio 1916, N. 311, col quale la nomina del rappresentante degli operai addetti ai lavori ed ai servizi del porto di Genova nell' Assemblea e nel Comitato esecutivo del Consorzio del porto di Genova, è delegata al prefetto della provincia* [Bul. (N.S.), 1916, 72]

Decree of the Lieutenant-General, No. 311, conferring upon the Prefect of the Province the nomination of the representative of the workers employed in work and in the service of the Port of Genoa on the Assembly and the Executive Committee of the Harbour Board of Genoa. Dated 27th February, 1916.

13. *Decreto luogotenenziale del 28 febbraio 1916, N. 264, relativo all'iscrizione alla Cassa nazionale della previdenza degli operai chiamati alle armi.* [Bul. (N.S.), 1916, 46.]

Decree of the Lieutenant-General, No. 264, respecting the enrolment in the National Provident Institution of workers called to the colours. Dated 28th February, 1916.

1. The National Workers' Provident Institution shall have power to credit out of its own funds to workers enrolled before the declaration of war who are serving in the Army, the minimum contribution in respect of the year 1915, in addition to the ordinary allowances referred to in §14 of the Act of 30th May, 1907. (No. 376.)\*

2. The National Provident Institution shall submit for the approval of the Ministry of Agriculture, Industry and Commerce the rules for the carrying out of the present Decree.

\* Text E.B. IV., p. 329.

- 14.** *Decreto luogotenenziale del 6 aprile 1916, N. 425, col quale vengono autorizzate assegnazioni straordinarie nello Stato di previsione della spesa del Ministero di Agricoltura, Industria, e Commercio, per corrispondere durante lo stato di guerra, sussidi contro la disoccupazione, ad uffici ad collocamento e ad alcune categorie d'infortunati.* [Bul. (N.S.), 1916, 72]

Decree of the Lieutenant-General, No. 425, to authorise extraordinary credits in the budget of the Ministry of Agriculture, Industry and Commerce for the purpose of making grants during the state of war for the relief of unemployment, to employment bureaux, and to certain classes of persons meeting with accidents.

1. The extraordinary credits named below shall be authorised for the purpose indicated in each case :

(a) 150,000 lire for contributions from the State to economic and provident associations (trade associations, mutual aid societies and co-operative societies) which have organised systems for the relief of unemployment ;

(b) 30,000 lire for contributions from the State to employment bureaux for operations carried on within the province where they are situated and in the contiguous provinces.

(c) A sum not exceeding 500,000 lire for grants to be made, subject to reimbursement, to persons of Italian nationality meeting with industrial accidents in enemy territory and who, in consequence of the war, no longer receive the compensation or pensions due to them from insurance institutions.

The resulting alterations in the Budget of the Ministry of Agriculture, Industry and Commerce shall be introduced by Decree of the Minister of Finance.

2. The conditions and rules regulating the allocation and payment of the contributions and grants referred to in the preceding Section shall be laid down by Decree of the Minister of Agriculture, Industry and Commerce.

- 15.** *Norme per l'erogazione dei sussidi di cui alla lettera (c) dell' art. 1 del decreto luogotenenziale 6 aprile 1916, N. 425, 30 aprile 1916.* [Bollettino dell' Emigrazione XV., 97.]

Rules for the payment of the grants contemplated under (c) of §1 of the Decree of the Lieutenant-General of 6th April, 1916, No. 425. Dated 30th April, 1916.

1. It shall be the duty of the National Workmen's Invalidity and Old Age Provident Institution to arrange for the allocation and payment of the grants contemplated in §1 (c) of the Decree of the Lieutenant-General of 6th April, 1916, No. 425.

2. The grants contemplated in the preceding Section shall be made :—

(i.) to Italian citizens entitled to accident compensation from the insurance institutions of an enemy country, provided that they actually reside in the kingdom or in the territory occupied by the Italian Army ;

(ii.) to persons of Italian nationality residing in the territory occupied by the Italian Army who are entitled to accident compensation from the insurance institutions of an enemy country.

3. In order to procure a grant the persons indicated in the preceding Section shall present to the National Provident Institution, together with the application, drawn up on unstamped paper, the compensation certificate issued by the insurance institution.

At the request of the persons concerned, the application and the certificate mentioned above shall be transmitted post free by the Mayor or the Civil Commissioner of the place of residence. These authorities, in forwarding the application, shall make a declaration that the person entitled to the grant is alive and in the case of widows, that they are widows.

In cases where it is not possible to produce the original compensation certificate, the National Provident Institution may, on its own responsibility, accept any other method of proving the existence of the right.

In any case, both the existence of the right of the person concerned and the amount of the compensation due to him and any later alterations in the same, shall be determined in accordance with the insurance laws and regulations in force in the place where the accident occurred and applying to the institute in question.



4. The National Provident Institution, on receiving the application for a grant, shall issue to the person entitled to compensation a provisional certificate in substitution of the original certificate, which shall be kept by the National Institution.

5. The grants shall not exceed two-thirds of the rate of compensation falling due and not paid since 1st June, 1915.

The amount of the said compensation shall be estimated by converting the foreign money to Italian money.

6. The first payment of the grant shall be made immediately the National Institution receives the corresponding application.

Subsequent payments shall be made at the beginning of each quarter.

The said payments shall be made through the post offices.

7. In case of disputes both as regards the admissibility of an application for a grant and as regards the amount of the same, persons interested may appeal to the Ministry of Agriculture, Industry and Commerce within 30 days of receiving the decision of the National Institution.

The National Institution shall conform to the Ministerial decision.

8. At the end of every quarter the National Provident Institution shall transmit to the Ministry of Agriculture, Industry and Commerce a list of the grants paid in order to procure their reimbursement.

On the basis of this list, which shall be verified by a representative of the Ministry of Agriculture, Industry and Commerce, the said Ministry shall make the reimbursement out of the credit under Ch. 204, IV., of the Budget of the Ministry for the current financial year.

9. Any grants already advanced by the National Provident Institution when the present Decree comes into force shall be taken into consideration for all the purposes of the Decree of the Lieutenant-General and the present Decree.

This fact shall be noted on the provisional certificate mentioned in §4.

The present Decree shall be registered in the Accounts Office (Corte dei Conti).



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# International Association for Labour Legislation.

Central Office: BASLE, SWITZERLAND.

## OBJECTS.

1. To serve as a bond of union to all who believe in the necessity for Labour Legislation.
2. To organise an International Labour Office.
3. To facilitate the study of Labour Legislation in all countries and to provide information on the subject.
4. To promote international agreements on questions relating to conditions of labour.
5. To organise International Congresses on Labour Legislation.

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